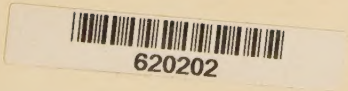
UNIVERSITY OF LONDON LIBRARY

THIS BOOK
MUST NOT BE REMOVED
FROM THE LIBRARY

REFERENCE ONLY

64 Part Papers
Reference Only


620202

Digitized by the Internet Archive
in 2026

https://archive.org/details/parliamentary-debates_1889_339

HANSARD'S

PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

---

52 & 53 VICTORIÆ, 1889.

VOL. CCCXXXIX.

COMPRISING THE PERIOD FROM

THE FIRST DAY OF AUGUST, 1889,

TO

THE TWENTIETH DAY OF AUGUST, 1889.

Seventh Volume of the Session.

THE HANSARD PUBLISHING UNION, LIMITED,

CATHERINE STREET, STRAND, AND GREAT QUEEN STREET, W.C.,

PRINTERS, PUBLISHERS, AND PROPRIETORS OF

"HANSARD'S PARLIAMENTARY DEBATES,"

UNDER CONTRACT WITH H.M. GOVERNMENT.

1889.

8995

BIBL.
LONDIN
UNIV.

An Asterisk at the commencement of a Speech indicates revision by the Member.
Printed by Contract with H.M.'s Government.

HANSARD'S PARLIAMENTARY DEBATES.

IN THE

FOURTH SESSION OF THE *TWENTY-FOURTH PARLIAMENT* OF THE UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*, APPOINTED TO MEET 5 AUGUST, 1886, IN THE FIFTIETH YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

No. 1.] SEVENTH VOLUME OF SESSION 1889. [AUGUST 9.

HOUSE OF LORDS,

Thursday, 1st August, 1889.

EDUCATIONAL ENDOWMENTS (SCOTLAND).

*THE DUKE OF ARGYLL, in presenting a Petition for an Address to Her Majesty, praying her to withhold her consent from Scheme No. 201 of the Educational Endowments (Scotland) Commission, said: My Lords, I have a Petition to present from the General Assembly of the Church of Scotland upon the subject of a Provisional Order of the Endowed Schools Commissioners, with the authority of the Moderator, representing the Assembly, which they consider injurious to the interests of the Church of Scotland. Under the Endowed School Commission they have the power of issuing regulations in regard to all endowments connected with education. The endowments dealt with in this Provisional Order, being those belonging to the Society for Propagating Christian Knowledge, date from as far back as 1709, and a considerable sum of money is given into the charge of the Church of Scotland for the promotion of education and religion in Scotland, especially in the Highlands and Islands. My Lords, I can testify that a great deal of public good has been done for many years by these endowments. They have been employed for religious and educational purposes in some of the very poorest parishes in the Highlands and Islands. The Commissioners now propose that a considerable part of this money should be given into the charge of a new body for the purpose of education alone, and a much smaller share left in the charge of the Society for the Propagation of Christian Knowledge for religious purposes, of which I had the honour of being President for many years. Having inquired into the circumstance under which this Provisional Order has been issued, I can only say that while sympathising very much with the feeling of the General Assembly expressed in this

BIBL. LONDIN UNIV

Petition, yet, having looked into all the circumstances as far as I can, and looking at the position of the various religious bodies in Scotland which is very different now from what it was when the endowments were given, I am not prepared to ask the House to interfere with the Provisional Order of the Commissioners.

Petition read, and ordered to lie on the Table.

ELECTRIC LIGHTING PROVISIONAL ORDERS BILLS.

*Lord BALFOUR, in rising to move that the Order made on the 5th day of March last,

"That no Bill brought from the House of Commons confirming any Provisional Order or Provisional Certificate shall be read a second time after Friday, the 28th of June next,"

be dispensed with, in order to enable a number of Electric Lighting Provisional Orders Bills to be read 2ª said: My Lords, the House will require a word or two of explanation from me in making the Motion which stands in my name. I am glad to be able to say that it is the last time, as far as I know this Session, that I shall have to appeal for any suspension of the Sessional Orders. The circumstances under which it is necessary in this case are as follow:—Your Lordships are aware that last year an Act was passed amending the conditions under which Provisional Orders could be granted for the supply of the electric light throughout the country; and the consequence of that has been that a very large number of applications have been made, and those which are before the House are the first of the applications under the Act of last year. In consequence of the circumstances, a very great deal of discussion had to take place with the various Local Authorities concerned. The first of these Bills concerns Local Authorities in the country, and I believe the Orders confirmed by it are absolutely unopposed. With regard to the other Orders, which concern the Metropolis as well as the private Bill which has been just now moved on behalf of the Chairman of Committees, a very great deal of discussion also took place, and so important were the issues involved to the people of the Metropolis that the Board of Trade thought it necessary to have a special inquiry. That inquiry extended over 18 days, before Major Marindin, one of the officials of the Board, and a Report was made upon the whole subject. Even subsequently to that Report, a very great deal of discussion and negotiation had to be gone through; so much, indeed, that the Bills confirming the Orders could not be presented to the other House in accordance with the Sessional Orders. But the other House suspended the Sessional Orders, and referred the Bill to a strong Committee, presided over by Sir George Trevelyan. The result was that, on every material point, the decision of Major Marindin was confirmed. The appeal I now make to your Lordships is that you will not allow this very large amount of discussion and expense to be wasted, but that you will suspend the Sessional Order and allow the Bills to be read a second time. I therefore beg to move accordingly.

The Resolution was agreed to, and the said Bill read 2ª accordingly.

LUNACY ACTS AMENDMENT BILL (No. 9.)

Returned from the Commons agreed to, with amendments: The said amendments to be printed. (No. 199.)

CANADA (ONTARIO BOUNDARY) BILL (No. 151.)

PASSENGERS ACTS AMENDMENT BILL. (No. 100.)

Returned from the Commons agreed to.

BOARD OF AGRICULTURE BILL (No. 125.)

Returned from the Commons with the amendments agreed to.

CRUELTY TO CHILDREN PREVENTION BILL (No. 160.)

Reported from the Standing Committee for Bills relating to Law, &c., with amendments: The Report thereof received; and Bill re-committed to a Committee of the Whole House on Monday next.

COURT OF SESSION AND BILL CHAMBER (SCOTLAND) CLERKS BILL (No. 152.)

Reported from the Standing Committee for Bills relating to Law, &c.,

with amendments: The Report thereof received; and Bill re-committed to a Committee of the Whole House on Tuesday next.

INTERMEDIATE EDUCATION (WALES) BILL.

Brought from the Commons; read 1ª; to be printed; and to be read 2ª on Tuesday next.—(The Lord President, *V. Cranbrook*). (No. 201.)

JUDICIAL FACTORS (SCOTLAND) BILL.

Brought from the Commons; read 1ª; to be printed; and to be read 2ª on Monday next.—(The Lord Ker, *M. Lothian*). (No. 202.)

SETTLED LAND ACTS AMENDMENT BILL.

Brought from the Commons; read 1ª; to be printed; and to be read 2ª to-morrow.—(The Lord Macnaghten). (No. 203.)

UNIVERSITIES (SCOTLAND) BILL.

Brought from the Commons; read 1ª; to be printed; and to be read 2ª on Tuesday next.—(The Lord Ker, *M. Lothian*). (No. 204.)

LOCAL GOVERNMENT (SCOTLAND) BILL. (No. 179.)

Order of the Day for the Second Reading read.

THE SECRETARY FOR SCOTLAND (The Marquess of LOTHIAN): My Lords, in rising to ask your Lordships to give a Second Reading to this Bill I cannot but express my regret that it has not been in my power to introduce the measure to your Lordships' House at an earlier period of the Session, altering as it does the whole condition of the County Government of Scotland. I should have been glad if it had been in my power to bring a Bill of this nature before your Lordships at a period of the Session in which you could have given a more adequate consideration to it. From the condition of the Benches of the House I am glad to see that confidence is felt in Her Majesty's Government, because it would appear from the number of noble Lords present that there must be a general conviction that the Bill is a good one, and that there is no desire to go very much into the details of it at this stage. But I should have preferred that those noble Lords who are connected with Scotland should have been present in greater numbers to go somewhat into the details of the measure. I need not enlarge upon the principle of this Bill, because it is one to which your Lordships have already given your assent by the passing of the Local Government Bill for England last year. The Bill now before your Lordships' House simply gives effect as regards Scotland to the principles which your Lordships' House then accepted. But the circumstances of Local Government in Scotland, are so different from those which prevail in England, or which prevailed in England before the passing of the Bill of last year, that the Bill which I now place before the House necessarily differs in very important particulars from the Bill passed with regard to England last year. In some degree those differences make it more difficult to frame a measure which is to be applicable to the whole country than was the case in England, for I do not think the condition of things in England as regards the most distant parts of the country from one end to the other vary so greatly as they do between the more thickly populated and prosperous parts of Scotland in the south, south-east, south-west, and north-east, and the isolated, more thinly populated and often poverty-stricken districts of the north and north-west of Scotland. I must ask your Lordships to bear with me while I endeavour as shortly as I can to go into the details of the Bill, touching only on the more important points now, asking you to reserve the consideration of the details more particularly for a later stage when the Bill comes into Committee. But before going into the details of the Bill I think it would be convenient that I should shortly describe the existing condition of the administration and of the administrative bodies, for without that it would be difficult to explain to your Lordships what it is that is now proposed to be transferred from the existing bodies to the new County Councils. The first and most important body which now exists in the County Government of Scotland is that which is called the Commissioners of Supply. They are the chief County Authority. The Commissioners of Supply are composed of owners of land

of the annual value of £100, and the owners of houses of the annual value of £200. They have a chairman elected from among their own body, who is called a convener. I allude to the name of the convener simply because it is proposed that the Chairman of the new County Councils should be called by that name. Their especial powers have reference to the police administration, to the valuation of lands and heritages, the preparation of the valuation rolls, the preparation through their assessor of the Parliamentary Register, the provision of lunacy accommodation through the District Boards, and general county business, including the payment of clerks, supply, and all other officials. As I have said, this body is composed almost entirely of owners of property; they have practically the whole administration in regard to all the points which I have just named to your Lordships. The occupiers have no voice in the government of the county at all, but on the other hand the occupiers have no responsibilities in respect of the Government of the County, because the owners pay the entire amount of the rates which can be levied under the authority of the Commissioners of Supply. Therefore, while the owners have the entire administrative power in the county, yet, as they pay the whole of the rates levied under their authority, the principle of representation and taxation is carried out in that instance. It is not, as your Lordships see, in any way infringed by the system of administration and County Government at present existing in the counties of Scotland. Under the proposals of the Government in this Bill, the whole of the powers and duties now exercised by the Commissioners of Supply will be transferred to the new County Councils. Then, the second administrative body in the counties of Scotland to which I will refer, is the County Road Trustees. These bodies were called into existence by the County Roads Act, 1878, and they consist of all the Commissioners of Supply, and of two or more, but not more than four, representatives of the ratepayers in each parish, who are elected triennially. They manage and maintain all the highways, there being no distinction under the Act of 1878 between main and other roads. They impose all road rates, which, at their option, may be imposed on several parishes or on the parishes separately. But under these bodies elected triennially as regards the representatives of the ratepayers there are what are called the Road Boards. They are nominated annually by the general body of the Road Trustees, and they practically undertake the management of the roads in the counties. A county is, generally speaking, divided into several districts, and each district is under the charge of the General Committee, which is annually appointed. But, my Lords, the incidence of the rates levied under the Roads Act is not to be quite the same as it is under the authority of the Commissioners of Supply. The owners and occupiers pay each half the rates for the repairs of the roads, but upon the owners alone fall all the rates for payment of the debts which have been incurred and for any new work. Therefore the owners pay the larger proportion of the rates which are annually required for the maintenance and keeping up of the roads. The whole of the powers exercised by these bodies will be transferred under this Act to the County Council. The third class of adminitrative bodies in the counties dealt with under this Act is the Local Authority in each county administering the Contagious Diseases (Animals) Acts. These bodies consist half of occupiers, and half of ratepayers or owners. They vary in number from 8 to 30 in different counties, but in all cases as I have said they are half occupiers and half owners. The rates in this case are divided nominally half and half—that is, they are nominally paid half by the owners, and half by the occupiers. But the rate is levied first entirely on the owner, and he can recover from the occupier if he chooses to enforce it. But I believe it is very seldom found that the owners have enforced that rate; therefore, practically the owner has been in the habit of paying the rates levied under the Contagious Diseases (Animals) Acts. Generally speaking these Local Authorities adminster the law with regard to cattle diseases, and put into force Orders in Council with regard to them. As to the rates, they issue a requisition

to the Commissioners of Supply, who rate according to that requisition. Then the only other administrative Authority in the counties which I need refer to is the body of Justices of the Peace. In England those authorities are a very important body, and they have very important functions to perform; but in Scotland their adminstrative powers are small. Under this Bill the whole of their powers will not be transfered; only their adminstrative powers will be transferred to the County Councils, and not those with regard to the granting of licenses. The most important duty which now falls on the Justices of the Peace will be retained by them—namely, the granting of licenses. It is not proposed by this Bill to make any change in that respect. Those, my Lords, are the four existing authorities with regard to County Administration in Scotland. It will be necessary for me, I think, to refer also to the Parish Authorities. They are three in number. The first are the Parochial Boards, administering relief both to ordinary paupers and as required under the Poor Laws. The second Parochial Authorities are the Local Trustees for administering the Public Health Acts. They carry out the sanitary laws Generally the Administrative Authority is the same as the parochial body. The rates levied under the sanitary laws are paid half by owners and half by occupiers. It is proposed to transfer the jurisdiction under the Public Health Acts from the Local Authorities to the County Councils by this Bill. The third authority of this class, which I need only refer to by mentioning it, as it is not affected by this Act, is the School Board which administers the Education Acts in each parish. Therefore, my Lords, what it is proposed under this Bill to do is to transfer to the County Councils the powers and duties of the Commissioners of Supply, of the County Roads Trustees, of the Local Authorities administering the Contagious Diseases (Animals) Acts, and of the Justices of the Peace, as far as administrative powers are concerned, but excluding the powers with regard to the granting of licenses; and to transfer the jurisdiction of Parochial Authorities as far as the public health is concerned, but not dealing with their administration of the parochial laws, or the powers of School Boards under the Education Acts. I think now, my Lords, having stated what are the powers which it is proposed to transfer to the County Councils, I should refer to the constitution and powers of the County Councils themselves. First, as regards their constitution: Under the third clause of the Bill the County Councils are to be charged with the whole of the administrative and financial business of the counties. Under the provisions of Clause 4, as your Lordships are probably aware, the Councillors are to be elected. Perhaps here I might point out the position which under this Bill it is proposed should be given to the small burghs. In Scotland, as those of your Lordships who are acquainted with the Scotch Burghs are aware, there is a large number of Royal and Parliamentary Burghs, the populations of which vary in a great degree, many of them—most of them indeed—being of very ancient origin. Some of them have, of course, almost dwindled away, and have but small populations; but on the other hand others have greatly increased and have already become large and important towns. By the Report of the Committee upon the Burgh and Police (Scotland) Bill, which sat in the other House in 1888, it was recommended that all burghs having a population under 7,000 should be amalgamated with the county. In preparing this Bill the Government have followed the suggestion and recommendation of that Committee, and it is proposed that all the Royal and Parliamentary burghs having a less population than 7,000 should for the purpose of police administration and in regard to dealing with contagious diseases among animals be amalgamated with the counties. Royal and Parliamentary burghs above that fixed limit of 7,000 will not be disturbed by this Bill. But there is another kind of burgh in Scotland. They are called police burghs, and some of them, such as Govan, have enormous populations. These burghs will, for the purposes of this Bill, be treated as in the county; they will be subdivided into wards, and each ward will send a representative to the County Council. Then this proposal has been made with regard to the small burghs: that they are to them-

selves elect their representatives (according to a number to be fixed by the Secretary for Scotland) from among the Town Councils, so as to avoid the expense and trouble of separate registration and separate elections. Then at first there will be in addition to the numbers fixed by the Secretary for Scotland under the Bill, four *ex officio* Councillors, who have been connected with the former authorities. That is to say, at the first election there will be those members in addition to the fixed number, and the object of that is to ensure there being on the first Councils some members who have been concerned in and are acquainted with the administrative work of County Government. There will be no Aldermen under this Bill: the number of the Councillors for each county will be settled by the Secretary for Scotland, and for the first election, when the number of Councillors for each County Council has been definitely fixed in each county, the Sheriff will divide the number of districts necessary according to the number of Councillors who are to sit on the Council, and each separate district will return one Councillor. After the first election there will be Boundary Commissioners appointed who will no doubt be able to perform the duty of dividing the districts more accurately than can be done by the Sheriff, who will make the division in the first instance. I now come to the question of the county electors, which is, perhaps, rather a more serious question. The electors will consist, first, of all the Parliamentary electors who are at present on the register for the Parliamentary elections, including those members of the electorate who are called "service franchise voters." In addition to that, all Peers will be placed upon the register, and women otherwise qualified as Parliamentary electors. The payment of county rates is made a condition of voting for these elections except in the case of service franchise members. Therefore there will be two payments of rates which will be essential before anyone can vote for members of the County Council; in the first place being on the County Register he will have to pay the Poor Rate, and in the second place being placed on the register for the election of County Councillors he will have to pay his portion of the Consolidated County Rate. But with reference to the service franchise voters, they are placed in rather a different position; they will not pay any rate directly, but they are liable to their employer, who can, if he chooses, at any time insist upon the repayment to him of any rate in respect of the houses which they occupy under him. These proposals are merely giving legislative recognition to an existing practice. It is also expressly provided that if the service franchise voter has had any deduction made from his wages in the nature of rates, no further claim can be made upon him in that respect. Then there is a provision that county electors can only vote in their own divisions. Then, my Lords, comes the register. I do not think I need say much about that. The register will consist of the Parliamentary and supplemental registers, having upon it the names of Peers and of women, who would not otherwise be qualified to vote as Parliamentary electors. In reference to what I said just now about the payment of the county rates, provision is made in the Bill that in the register a mark is to be placed against the name of every elector who has not paid his county rates, and who will therefore be disqualified from voting at an election. I see that a notice on this subject has been placed on the Paper, and I think perhaps we owe it to the fact that women are not eligible to sit as County Councillors; but in that respect we are simply following out the provisions of the Municipal Elections Acts, where they are not allowed to sit upon Town Councils. The elections are to be triennial. They will take place on the first Tuesday in December, except that the first election is to be on the first Tuesday of February next year, it being impossible to complete the registers earlier, so as to allow the election to take place at the ordinary period. In addition to the powers and duties which I have already referred to, which will be transferred from the Local Authorities to the Town Councils, they will have power to appoint Medical Officers and Sanitary Inspectors for the Counties. That, I think, your Lordships will agree is a very desirable provi-

sion, because it is very desirable for the public health that the Inspectors and medical officers should have supervision over a larger area than is now possible. They will also have power to enforce regulations under the Rivers Pollution Acts. Now as to the question of rating. The principle of the Bill is that the rates should be paid half by owners and half by occupiers. But there is a very important deduction to be made from that principle, that is to say, a very important qualification as regards that principle, because the rates now levied solely on the owners have been stereotyped on the average for the last 10 years. They will continue to be paid by the owners only upon that average; and any increment above that will be paid half by the owner and half by the occupier. That is to say, the average rate of payment for the last 10 years by the owners in regard to the cost of police and for the different charges of administration in the county will be stereotyped, and the Sheriff is to fix that as the amount. There will be no appeal from his decision. But that average in the stereotyped rate is not to include any payment of debts, or the payment of any interest upon those debts. The average amount will be calculated, leaving out of that item the payment of any instalments of debts or of interest on debts. Otherwise the whole of the payments made under the authority of the Commissioners of Supply will be stereotyped upon an average of the last 10 years, and will fall to be paid by the owners only. Above that stereotyped amount any increment will be paid, half by the owners and half by the occupiers. I think this provision is a very satisfactory one. It has been adopted in recognition of the principle of representation and taxation. If the whole of the payments had been divided absolutely between the owner and the occupier, it would have placed upon the occupier to a very large extent a burden which he has never had before. It has, therefore, been thought right that, while the owner should continue to pay the average rate which he has paid during previous years, any increment upon that rate should be paid equally between him and the occupier after the establishment of the County Council. Then, my Lords, with regard to certain functions of administration, it has been thought that the country, as a rule, is too large an area; and under the Bill, except in very small counties, not exceeding six parishes, they must appoint District Committees. They must divide the counties into districts for certain purposes. The two particular points to which I desire to refer, in regard to which the Committees will take the place of District Councils, are, first, the management of the roads; and, second, the administration of sanitary matters. The Bill commits the administration under both these heads to the District Committees to be appointed under the Act, consisting of the district officers, and one representative from each Board within the district. This Board will supply the place of the Council, and does not involve any separate cost of election. Now, my Lords, I come to another point, and that is the Standing Joint Committees. In speaking just now of the constitution of the Commissioners of Supply, I did not refer to the Statutory Committee which is appointed by them —namely, the Police Committee. Under that Police Committee is the Statutory Committee. I think its number (speaking under correction from noble Lords present, who are well acquainted with these matters) must not exceed 15. They include the Lord Lieutenant of the county, and the Sheriff of the county. Their powers are very large. They have the appointment of the Chief Constable, and they have to report to the Commissioners of Supply at the general annual meetings. They have in their hands the general management of the police. It is now proposed by this Bill that a corresponding body called the Standing Joint Committee shall be appointed by the Council. The Bill proposes to give borrowing powers to the Standing Joint Committee of the Council, and the Commissioners of Supply, consisting of such number of County Councillors, not exceeding seven, as shall be appointed by the County Council annually at their meeting in May. The Sheriff of the county is to be an *ex officio* member of the Standing Joint Committee, or in case of his absence one of his substitutes to be nominated by him for the purpose, and the Committee are to elect one of their own number to be Chairman. For this purpose only

will the Commissioners of Supply be retained; all their functions will be transferred to the County Councils; but for this purpose only—namely, that of electing seven members of their Board to sit upon the Joint Committee, will they be kept in existence. The Standing Joint Committee, in addition to the duties and powers which are now held by the Police Committee, will have a veto on all capital expenditure; that is to say, that if the Council determine to expend a sum of money upon constructing roads or furnishing water supply, or incur any capital expenditure of that kind, their decision will be subject to the veto of the Standing Committee; and the Standing Committee will have also a veto upon the borrowing powers and in regard to charging the future revenues of the county, which I think your Lordships will consider is a desirable power for them to have, so as to prevent future extravagance and future risk of a drain upon the county funds. Another point is that the Bill provides for an efficient audit. At present there is no general audit of accounts in Scotland. I think your Lordships will agree it is exceedingly desirous that a more efficient, general, and uniform system of official audit should be established for Scotland. I have already referred to the Boundary Commissioners to be appointed under the Act. The Commissioners are mentioned in the Act. Their function will be after next February to adjust the boundaries of parishes, and to make pecuniary adjustments wherever necessary between counties and parishes where the boundaries are altered, so as to involve financial changes. Now I have gone through the general provisions of the Bill, and I come now to the financial relations with the Exchequer. Upon this point your Lordships will probably take a greater interest in the measure. As you are aware, last year, under the authority of the Chancellor of the Exchequer, a new arrangement was made, by which the Probate Duties were returned—I am now speaking of Scotland alone—and an undertaking was given that the Excise Duties and License Duties should also be returned to Scotland. According to the estimates of the Probate Duty in Scotland the share of the Probate Duty amounted to £234,000. The Bill provides for grants in aid of £30,000 to the Highlands and Islands. For the police there is £155,000, for pauper lunatics £90,500, and for the medical relief of the poor £20,000. The amounts in those respects in all come to £265,500. The total amount received by Scotland during the current year is 1889-90 £499,500. Now, my Lords, to pay the grants amounting to £265,000 as regards police, medical authorities, and pauper relief, provision is made by the Bill. There is a special grant for maintenance of roads of £35,000. That makes a total grant of £330,000. Deducting that from the previous sum mentioned leaves £169,500. That is for the current year. In the next year, 1890-91, the local tax licenses, which are not, of course, included in the Returns I have given, will amount to £323,000, and the Probate Duty will come, as in this year, to £234,000, making a total of £557,000. The sums payable for police, pauper lunatics, and relief of the poor are calculated to be exactly the same — namely, £265,000. The sum paid for the roads will be £35,000, just as during this year; but for the Highlands and Islands only a sum of £10,000 will be allowed, instead of the £30,000 which was allowed this year and last year only as a temporary measure. The sum total, therefore, which will be required to pay for the items which I have mentioned to your Lordships will be £310,500, leaving available for further purposes £246,500. Now, the question to be decided was, what was to be done with this surplus money? As your Lordships are probably aware, in deference to the wishes of the Scottish people it has been proposed to devote those sums of £169,500 for this year, and of £246,500 for next year, to the payment of the school fees in all the State-aided schools in Scotland. My Lords, I should like to say one word upon that point, because I know it is a matter which has aroused great interest in this House and elsewhere. There are those who are of opinion that there should be absolutely free education in Scotland up to the Fifth Standard on the one hand, and there are others who think that such a system is dangerous in the extreme, and that, except under exceptional circumstances, there should be no free education at all. Upon that disputed question I do not propose to enter now;

but I should like to call your Lordships' attention to the facts of the case. As I stated just now, the money which has been given back under the arrangement of last year has been given back to Scotland in the manner most agreeable to the Scottish people. It is entirely Scottish money. It is returned to Scotland in respect of payment of the Probate Duty, and in future what will come from the Excise Duty. I think, my Lords, after the expression of opinion in the other House of Parliament, which did not come from one Party or from one section only, but which came with absolute unanimity from the Representatives of the whole people of Scotland, Her Majesty's Government would have taken a very heavy task upon its shoulders in declining to listen to the wishes of the Scottish people. These proposals were laid before the other House; they were adequately discussed, and there was no question whatever that if the matter was to be left to the discretion of the people of Scotland it would be determined in the manner now proposed by this Bill—namely, for the relief of school fees in the first five Standards. I should like to call your Lordships' attention to the clause under which this proposal is carried into effect. By Clause 22, Sub-section 6, it is provided that—

"The balance shall be applied towards relief from payment of school fees in the State-aid Schools in Scotland, and shall be distributed in such manner and in accordance with such conditions as may from time to time be set forth in the Scotch Education Code annually submitted to Parliament."

Of course, the Scotch Education Code now submitted to Parliament cannot contain that regulation; but as soon as this Bill passes, a Minute will be laid upon the Table of the House from the Education Department, showing the proposed distribution of this money and the safeguards under which it is distributed to the different School Boards and Voluntary Schools in Scotland. The amounts received from the Exchequer for distribution by the County Councils will be under the direction of the Secretary for Scotland, and the Licensing and Excise Duties and Probate Duties will be paid over in the same manner as the existing grants. After the existing grants have been provided for, as I have explained to your Lordships, they will be distributed according to the provisions of a Minute which will be submitted to Parliament as soon as this Bill passes into law. There is every reason to believe that the money so available will be found sufficient to relieve the school fees in the whole of the first five Standards. If your Lordships will allow me, I should like to say a few words upon that to show why I think there is reason to suppose that the money will be sufficient to relieve education in the first five Standards. The average school expenditure in Scotland at this moment is £503,000, and the amount of all fees is about £310,000; but of that sum from the fees in first five Standards about £260,000 to £265,000 is received. I do not say that I am quite accurate in these figures, but I am as nearly right, I think, as it is possible to ascertain them. So that for the first five Standards there will be about £265,000 to be provided. Over the whole of Scotland the average amount received from fees over the whole six Standards comes to about 12s. 10d.; but the average received from fees in the first five Standards comes to less than 11s., and, by next year, it will come to about 10s. per head. So that there will be provided very nearly the amount required to exempt the first five Standards from any payment of fees. I do not say the amount will be exactly met; but under this Bill a certain number of schools will be allowed to exact fees in populous places like Glasgow and Edinburgh, where there may be some loss experienced in respect of the fees from the first five Standards, and they will be able to recoup themselves; so that there will be sufficient money to relieve the first five Standards from payment of fees. The first proposal is to distribute this money for relief of rates and for public purposes, and this exemption from payment of fees coming to 10s. per head will very largely go to the relief of rates or ratepayers in Scotland except in places where the fees charged are very high. I think I have now gone through the principal provisions of this Bill. I have not attempted to go into any details upon most of its provisions, judging that the consideration of those details will be very much better left to occupy your Lordships' attention in Committee, and that they will be very much better discussed

there. But I should like, before I sit down, to say a few words generally upon the change which by this Bill it is proposed to make. In proposing this measure to Parliament, and in making these changes in local administration in Scotland, I desire to say that I have not any fault (and I am sure I may speak for Her Majesty's Government when I say so) to find with the local administrative bodies. On the contrary, I am very glad to have this opportunity of recognising how earnestly they have done their work, that they have done it with zeal, efficiency, economy, and the greatest public spirit; and that while, on the one hand, they have avoided extravagance of expenditure, they have, on the other, always fully recognised the duties and responsibilities imposed upon them. This I know from my own private experience in Scotland; and I am glad to have this opportunity of saying that that experience has been amply borne out by the wider experience which I have obtained since I have had the honour to hold the office of Secretary for Scotland. But though I look upon the supercession of those bodies who have done their work so admirably in the past, with (as I confess I do) some feeling of regret, and though I feel that the responsibilities which will be thrown upon the Secretary for Scotland will be largely increased if this Bill passes, especially with regard to the educational system, it is with no feeling of doubt or misgiving that I ask your Lordships to give a Second Reading to this Bill, and I have every confidence that the work of local administration, placed as it will be on a broader and more extended basis, will be done as well as it has been done before. I am aware that at first there may be some friction. A new system cannot be introduced without some friction, and some difficulty. There may be at first some over zeal, which may be over zealous, some energy which may not be tempered with sufficient discretion, but on the whole the work will be satisfactorily done. If friction and difficulty should at first exist, that state of things will soon pass away, as it has done in the case of other newly created bodies, and I think that in course of time we may look for good solid work to be done by these bodies in Scotland. We are getting a better system of education; with better education there comes greater knowledge; and then with greater knowledge there comes a most legitimate and proper desire to take a more effective part, not only in the work of the Imperial Parliament, but in the work of the county in which the people live, and which is nearer to them, and more important to their needs. Naturally, I myself do not think that my countrymen, the people of Scotland, are as Conservative as I should like to see them—not nearly so Conservative; but from one point of view, I do think the people of Scotland are strongly and thoroughly Conservative. They are so proud of their ancient history and institutions which affect themselves and everything connected with their daily life, that they would be reluctant to make any change which would tend to cut them off from the system of County Government which has gone before, and from their historic and local associations. Consequently I look forward with great confidence to the exercise of the increased powers which will be given by this Bill to the county electors of Scotland. I cannot help thinking that you will agree with me that such a measure as this is a guarantee for increased and substantial political progress, recognising as I think it does existing interests, and at the same time giving effect to that desire which I have alluded to—namely, a closer participation in Local Government. I think that such a measure as this, bringing home as it does to all who are interested in Scottish affairs the fact that with the new privileges given to them by this Bill there will come new duties and new responsibilities and with them new burdens, when this Bill passes into law, if your Lordships give a Second Reading to it, as I hope you will to-night, will confer lasting benefits upon the local Government and people of Scotland. My Lords, it is in that spirit that the Bill has been drawn; it is in that spirit, I hope, that the Bill will be considered in Committee, and I ask your Lordships now to give a Second Reading to this Bill.

Moved, "That the Bill be now read 2ª."—(*The Marquess of Lothian.*)

*LORD DENMAN: My Lords, I have often had the misfortune to address your

Lordships' House, and to be misunderstood from not having heard the Question put, whether upon a Motion for a Bill brought forward by myself or in opposition to any Motion brought forward by noble Lords. It is my privilege to be able to come and say whether I withdraw any Motion that I may make, or whether I am justified in my persistence in conduct which, with great reluctance, I pursue. This matter is one of principle. If my Motion were carried, the proposal for the word "now" could not be put. As to the Bill now before the House, it is said in the Scriptures that "In the multitude of counsellors there is safety." The noble Earl who has just sat down, the Secretary of State for Scotland, has given us a most excellent account of the composition and duties of the different bodies, which it is now proposed to supercede by a very much smaller number. My Lords, this is decidedly an experiment. It is impossible to say that the Local Government Bill of last Session was not an experiment. It is a case of *paulo post futurum* legislation. It has given a great deal of trouble and perplexity, and even the Commissioners who were the final referees say if there was any difference between counties and boroughs, they must alter their opinion. As to the division of money between them, everything is kept uncertain. We knew what we had to look to, when we had the Commissioners of Supply, when we had the Magistrates, and when the maintenance and care of the roads were under the control of most carefully selected bodies, who always, in my humble opinion, acted with great caution and great prudence. My Lords, I see no necessity for this Bill. It was my duty when in the Courts of King's Bench and Queen's Bench to submit to the Lord Chief Justice an abridgement of every record; if I made a mistake that mistake was a very serious one, and I believe I hardly ever had a record referred to in that way. The question before your Lordships is whether you will institute an entirely new system without being satisfied that the system which has now been attempted in England as an experiment will turn out to be a decided success or not. Money is wanted; every Council is asking for more. It puts one in mind of the caricature by H.B. of Lord Brougham represented as a schoolmaster and entitled "Henry asking for more." There is not a single instance in which "more" has not been demanded, and in which money has not been thrown out to be scrambled for. That is what comes from consulting demands made in the name of the community by County Councils. My Lords, I am certain if this Bill were postponed for three years you would better have seen by that time how the Local Government Bill for England has really worked. With regard to the attempt now being made, one is reminded of the words addressed by Falstaff to Henry V., when Prince of Wales, as to "robbing the Exchequer with unwashen hands." Even a Cabinet Minister responsible for the affairs of India has talked about reducing the tax upon plate. Every old tax is worth keeping, because of the extreme difficulty of introducing any new tax. The Chancellor of the Exchequer is a very ill-used man—40 millions! I never heard of such a sacrifice, and what has been the effect upon the taxes of this country? We may wish to have some modification of the Licensing Duties; we may wish to have some alleviation from the hardships of the Probate Duties, but we are going to tie our hands for ever. My Lords, we do not, because we are members of this House, forfeit all claim to common sense. I am satisfied that this Bill will be carried in a hurry if it gets through to-day. I have read it carefully, and there are provisions in it which I do not like; but I would not attempt to support any Amendment in Committee which would send the Bill out to the country with a slur upon it. What is the consequence if you want to alter a Bill at the end of the Session? The only time when there ever was a chance of asking this House to go on to the end of a Session was in a statute, now repealed, which gave a Peer the right to shoot a buck in Her Majesty's Forests on his way to Parliament, and another, in the presence of a keeper, on his return, when, if a Member did not stay to the end of it, he lost his pay. I am quite satisfied that this principle of saying there is no time to do this or that is a fallacious one. As if this House was not capable, if necessary, of sitting every month in the year! I have seen it sitting every month except October, and I have seen

good work done. I remember, in particular, the measure as to locomotive engines. A suggestion was made for compromise. It was very late in September, and the Lord President of the Council the Duke of Richmond being here in his place, and Lord Watson, Lord Advocate, I wanted a uniform system to be adopted; but it certainly was very late, and probably that had something to do with the result. Parliaments have met at all times of the year, and in all parts of Her Majesty's Dominions. I am not sure that the Imperial Parliament has ever been confined to a particular locality or that anything has been so confined, except the Court of Common Pleas, which by a statute, perhaps repealed, was always to sit at Westminster. I believe Her Majesty might sit at any time and hold an Imperial Parliament in any part of her dominions. I would only recall the Parliament held in the time of William Rufus at Rockingham Castle. There is a Rockingham Castle also in Ireland, where they want Home Rule. I venture to say that in according to these Local Governments anything as a substitute for Home Rule, you are giving way to the greatest delusion that ever was entertained. It is a system which will cause disunion, debate, and discord. It is impossible to go on unless we assist the Chancellor of the Exchequer to raise the revenue by fair means, and I am sure that unless you will give him back the Probate Duties and the Licensing Duties you will repent it. With regard to taking away the jurisdiction over the police from the Magistrates, I think that is very objectionable, because the Magistrates are the only persons who know what the police really do. My Lords, I cannot see the use of having a Bill like this forced upon us, until the effect of its kindred Bill here is seen by the public. I am not one who looks to the effect of the future elections. Last Friday was the fourth anniversary of this Parliament. Mr. Brodrick said it was the third anniversary. Well, if so, my Lords, I can only say it has been a triennial Parliament so far, and I earnestly hope that it may last three years longer. Mr. Fox once held certain opinions, but changed them with regard to triennial Parliaments. I hope your Lordships will be on the register before the next Election. My noble Friend reminds me that in this Bill there is a very peculiar privilege given to women which might operate curiously with regard to any woman not living with her husband. If they are to be invested with political power it is rather a temptation to them, I think, to leave their husbands. But the Reform Bill of 1884, I venture to say, was imperfect in that respect, as the suffrage was not given to duly-qualified women. I ventured, on behalf of married women, to put in a claim for them in case their husbands ill-treat them and if they had to get a divorce from their husbands; but I hope that in all cases divorces may be discouraged, and especially in Scotland. This Bill gives a right to married women even if not divorced. My Lords, I have often been without a Teller, and with regard to any opposition to this Bill I am sure that I have had no communication with a single person throughout the progress of the measure, except Lord Thurlow just now. I wish to see that the Bill may have fair play, but I think that the registration provided for is extremely imperfect. The names are not placed on the church-doors, and any new claims should have been made by the 31st of last month. There is plenty of time to consider the Bill if your Lordships choose to adjourn for a short period. On one occasion two Bills were carried which only took two minutes each, because I did not hear the Question put. If your Lordships would adjourn there would be an opportunity for you to visit Ireland and see what is going on there. It might do away with some prejudice. I am sure that if this Bill were extended to Ireland it would have no good effect. I firmly believe that we are much better without it. We are better as we are, especially with the attachment of the people of Scotland to old institutions. I know that from my own observation, and I am quite certain, also, that there is no complaint with regard to the owners in regard to paying their proper share of the rates which are levied. My Lords, it would certainly be a very strong measure to refuse all these very large sums which are offered for the assistance of the counties; but I firmly believe that if you allow the present economical Magistrates to carry on the business of the counties, and if you do

not take away their powers to tax the owners and occupiers—if you trust to them, you will find that there is no improvement likely to be made by creating a hybrid body which will always be in a state of opposition one part of it to the other and to the Legislature. I am certain that the necessities of the country require that the Magistrates of Scotland and the Magistrates of England and of Ireland—you are increasing the powers of Magistrates in Ireland, and degrading the Magistrates in England, and trying to lower the Magistrates of Scotland—should be left in their present situation. That is their own view; and one gentleman, who had been a High Sheriff, said to me recently, talking of the Bill, "We must grin and bear it." We have been complimented by the noble Lord at the Board of Trade for being an economical body, and I am sure we have been an economical body. We have 200 Magistrates in Derbyshire, and only 150 County Councillors with various qualifications. I say it is imposing duties upon small bodies which it will be most difficult for them to discharge, even if they have physical endurance to be able to go through the duties imposed upon them. My Lords, I venture to move that this Bill be read a second time this day six months.

Amendment moved, to leave out "now" and add at the end of the Motion, "this day six months."—(*The Lord Denman.*)

THE EARL OF CAMPERDOWN: My Lords, I have seen it suggested with regard to this Bill that the changes which it makes in the system of Scottish Local Government are comparatively unimportant. I think that those who make that statement can have bestowed very little attention upon the contents of the Bill. This Bill makes a fundamental change in the whole system of Local Government, because it takes away all matters of local concern from the cognisance of one body and vests them in an entirely new constituency, and places them in the hands of an entirely new Council. This Bill places for the first time the local business of Scotland in the hands of the general body of ratepayers; and it goes even further than that—it places those affairs, to a considerable extent, in the hands of those who do not pay rates. Of course, it may be urged that the service electors do, as a matter of theory and in some manner which we do not quite understand, pay rates by some sort of implied bargain with those who employ them. But I think those of your Lordships who are familiar with county or local business know that, as a matter of fact, this question of local rates is not taken into consideration as far as the service voters are concerned. I would prefer to put it in another way. I think the line which the Government have taken is this—they have adopted the principle that it is the possession of a house which entitles the occupier to take his share of the local burdens and of the local business of the country; and I must say that to me this qualification appears to be the wisest and most sensible which you could possibly devise. It is a sensible qualification because the principle is intelligible; it has in it the essence of finality, and it carries with it some reason why the elector should possess a vote. I think it is very fortunate that the Government have not adhered to the line they first adopted when they introduced this Bill. At first, as your Lordships know, it was proposed that persons who are engaged in service should not possess a county vote unless they formally applied for it. I am glad that has been changed, and I think that change is a very great improvement. I am quite certain if the Government had adhered to their former plan a great deal of dissatisfaction and discontent would have been occasioned, and it would have been felt that even if the vote were given in the end, as of course it would have had to be given, it would have been simply given, not so much as a matter of favour, but because it was impossible to avoid it. Now, my Lords, let me say one word with regard to the powers which it is proposed to confer upon these new County Councils. It is said that these powers are chiefly possessed by Local Bodies in existence now; such, for instance, as the powers with regard to the management of the roads and the administration of the Public Health Acts, which are now entrusted to the Parish Authorities. The change which this Bill makes is that it confers those powers upon an entirely new set

of persons. It takes away the powers from the Commissioners of Supply; it also takes the powers away from the parishes and from the Justices of the Peace. I regret that the Bill does not go a little further. I believe it would have been quite possible to have entrusted the power of licensing to the new County Councils, because I think there is a very important distinction in this respect between Scotland and England. I know very well that last year it would have been impossible to pass a Local Government Act for England if it had been proposed to transfer the licensing powers under the Bill; but some of your Lordships know very well that the licensing difficulties are not the same in Scotland as they are in England. It is considered by many as quite certain that before long the licensing powers will have to be transferred to the County Councils. I cannot say how far that expectation might have affected the passing of this Bill into law this Session, but I believe, as far as those powers are concerned, they might have been safely entrusted to the County Councils. This Bill hands over the entire administration of the county finances to a County Council elected by the householders, but it does so subject to a very important qualification. When it affects the question of borrowing money or of capital expenditure or when there is any reference to the management of the police, then it is provided that there is to be a Joint Committee of the Commissioners of Supply and County Councillors, seven of each, and in addition the Sheriff, who, by the way, I am glad to see is not necessarily to be the Chairman of that Sub-Committee. I know that some exception has been taken to this proposal, but I think that on consideration those who are best acquainted with Local Government will admit that this proposal is one of a most reasonable and sensible kind. This principle of a control being exercised when it is a matter of borrowing money for public purposes by some external authority has been admitted in England, and is admitted in Scotland at the present time. If it is sought to obtain a loan for the purpose of carrying out the Poor Law, or for the purpose of administering the Public Health Acts, it is necessary to obtain the sanction of a Board of Supervision, and similar arrangements obtain in England with regard to the same matters. I do not think we are saying anything at all unjustifiable against these new County Councillors if we say that they are not infallible, and that it is very probable, when they first enter upon their office, that they will be very anxious indeed to carry out all kinds of projects in the way of what they consider to be improvements, and that it is at all events most satisfactory that when they propose to make large expenditures of money there should be some body of persons representing those who are interested whose consent would have to be obtained before the expenditures are sanctioned. My Lords, I have seen the evils produced by this want of control in Scotland. I remember in the County of Forfar we obtained a Local Act for the management of our roads, and under that Act it was perfectly possible for the new trustees to borrow money without any check. New trustees coming fresh into office, a great many of them being tenant farmers, would naturally want to have the roads improved as quickly as possible, although it might be—of course it did not necessarily follow—that in a few years afterwards they would be in the country. Therefore, all improvements were carried out at once, thus incurring a great deal of needless expense, and, indeed, a great deal of the money was thrown away. I must say myself, having had something to do with these matters, that it is a most sensible and wise precaution to establish a Joint Committee such as this which is proposed. There is another argument, which people are too apt to forget, and that is that owners of property in Scotland pay half the whole rate, and in virtue of that very large payment it is surely advisable that there should be some representation of property. I do not care how you give it; but, still, I think that owners of property should have some security that their money should not be spent solely by those whose interest in the matter, and therefore in taking care of it, is after all comparatively small, and whose contribution to the funds is necessarily still smaller. Now, my Lords, one word with regard to the numbers of the Councillors. I have received from the noble Marquess a statement of the numbers which he proposes, I do not say finally, but which, in the first instance

Chronology of Hansard's Debates.

The PARLIAMENTARY HISTORY contains all that can be collected of the Legislative History of this country from the Conquest to the close of the XVIIIth Century (1803), 36 vols. The chief sources whence these Debates are derived are the Constitutional History, 24 vols.; Sir Simonds D'Ewes' Journal: Debates of the Commons in 1620 and 1621; Chandler and Timberland's Debates, 22 vols.; Grey's Debates of the Commons, from 1667 to 1694, 10 vols.; Almon's Debates, 24 vols.; Debrett's Debates, 63 vols.; The Hardwicke Papers; Debates in Parliament by Dr. Johnson, &c., &c.

The PARLIAMENTARY DEBATES commence with the year 1803, and the contents are set forth in the following Chronological Table:—

HISTORY.

CONQUEST to 34 GEO. II. 1066 to 1760.

Vol. 1 to 15, 1 WILL. I. to 34 GEO. II. 1066-1760

REIGN OF GEORGE III. 1760 to 1820.

Vol. 15 to 35, 1 GEO. III. to 40 GEO. III. 1760-1800.

(FIRST PARLIAMENT.)

— 35....41 GEO. III... 1801
— 36....42 — .. 1802

(SECOND PARLIAMENT.)

— 36....43 GEO. III .. 1802/3

DEBATES.

First Series.

(SECOND PARLIAMENT—*continued.*)

Vol. 1 to 2 .44 GEO. III. 1803/4
— 3 „ 5..45 — 1805
— 6 „ 7..46 — 1806

THIRD PARLIAMENT.)

— 8 to 9..47 — 1806/7

(FOURTH PARLIAMENT.)

— 9 to 11..48 — 1807/8
— 12 „ 14..49 — 1809
— 15 „ 17..50 — 1810
— 18 „ 20..51 — 1810/11
— 21 „ 23..52 — 1812

(FIFTH PARLIAMENT.)

— 24 to 26..53 — 1812/13
— 27 „ 28..54 — 1813/14
— 29 „ 31..55 — 1814/15
— 32 „ 34..56 — 1816
— 35 „ 36..57 — 1817
— 37 „ 38..58 — 1818

(SIXTH PARLIAMENT.)

— 39 to 40..59 — 1819
— 41 — ..60 — 1819/20

Second Series.

REIGN OF GEORGE IV. 1820 to 1830.

(SEVENTH PARLIAMENT.)

Vol. 1 to 3..1 GEO. IV. 1820
— 4 „ 5..2 — 1821
— 6 „ 7..3 — 1822
— 8 „ 9..4 — 1823
— 10 „ 11..5 — 1824
— 12 „ 13..6 — 1825/6
— 14 „ 15..7 — 1826

(EIGHTH PARLIAMENT.)

Vol. 16 —.. 7 GEO. IV. 1826
— 17 —.. 8 — 1827
— 18 to 19.. 9 — 1828
— 20 „ 21..10 — 1829
— 22 „ 25..11 — 1830

Third Series.

REIGN OF WILLIAM IV. 1830 to 1837.

(NINTH PARLIAMENT.)

Vol. 1 to 3..1 WILL. IV 1830/1

(TENTH PARLIAMENT.)

— 4 to 8..2 — 1831
— 9 „ 14..3 — 1832

(ELEVENTH PARLIAMENT.)

— 15 to 20..4 — 1833
— 21 „ 25..5 — 1834

(TWELFTH PARLIAMENT.)

— 26 to 30..6 — 1835
— 31 „ 35..7 — 1836
— 36 „ 38..8 — 1837

REIGN OF VICTORIA, 1837 to

(THIRTEENTH PARLIAMENT.)

Vol. 39 to 44..1 VICTORIA 1838
— 45 „ 50..2 — 1839
— 51 „ 55..3 — 1840
— 56 „ 58..4 — (a) 1841

(FOURTEENTH PARLIAMENT.)

— 59 — .. 4 — (b) 1841
— 60 to 65.. 5 — 1842
— 66 „ 71.. 6 — 1843
— 72 „ 76.. 7 — 1844
— 77 „ 82.. 8 — 1845
— 83 „ 88.. 9 — 1846
— 89 „ 94..10 — (a) 1847

(FIFTEENTH PARLIAMENT.)

— 95 — ..10 — (b) 1847
— 96 to 101..11 — 1848
— 102 „ 107..12 — 1849
— 108 „ 113..13 — 1850
— 114 „ 118..14 — 1851
— 119 „ 122..15 — (a) 1852

(SIXTEENTH PARLIAMENT.)

Vol. 123 — ..15 VICT. (b) 1852
— 124 to 129..16 — 1853
— 130 „ 135..17 — 1854
— 136 „ 139..18 — 1855
— 140 „ 143..19 — 1856
— 144 — ..20 — (a) 1857

(SEVENTEENTH PARLIAMENT)

— 145 to 147..20 — (b) 1857
— 148 „ 151..21 — 1858
— 152 „ 153..22 — (a) 1859

(EIGHTEENTH PARLIAMENT.)

— 154 to 155..22 — (b) 1859
— 156 „ 160..23 — 1860
— 161 „ 164..24 — 1861
— 165 „ 168..25 — 1862
— 169 „ 172..26 — 1863
— 173 „ 176 .27 — 1864
— 177 „ 180..28 — 1865

(NINETEENTH PARLIAMENT.)

— 181 to 184..29 — 1866
— 185 „ 189..30 — 1867
— 190 „ 193..31 — 1867/8

(TWENTIETH PARLIAMENT.)

— 194 to 198..32 — 1868/9
— 199 „ 203..33 — 1870
— 204 „ 208..34 — 1871
— 209 „ 213..35 — 1872
— 214 „ 217..36 — 1873

(TWENTY-FIRST PARLIAMENT.)

— 218 to 221..37 — 1874
— 222 „ 226..38 — 1875
— 227 „ 231..39 — 1876
— 232 „ 236..40 — 1877
— 237 „ 242..41 — 1878
— 243 „ 249..42 — 1878/9
— 250 251..43 — (a) 1880

(TWENTY-SECOND PARLIAMENT.)

— 252 to 256 .43 — (b) 1880
— 257 „ 265..44 — 1881
— 266 „ 273..45 — (a) 1882
— 274 „ 275..45 — (b) 1882
— 276 „ 283..46 — 1883
— 284 „ 292..47 — 1884
— 293 „ 301..48 — 1884/5

(TWENTY-THIRD PARLIAMENT.)

— 302 to 307..49 —(a) 1886

(TWENTY-FOURTH PARLIAMENT.)

— 308 & 309..49 —(b) 1886
— 310 to 321..50 — 1887
— 322 to 332..51 — 1888

ERRATA.

Aug. 1. Lord DENMAN, on page 22, line 25, *alter* 40 *to* 4; on page 25, line 25, *alter* 150 *to* 50.

Aug. 5. Lord CLIFFORD OF CHUDLEIGH; on page 301, the observation attributed to Lord Clifford of Chudleigh, was made by another noble Lord.

Aug. 6. Earl FORTESCUE, on page 444, line 5, *alter* Germany *to* Italy.

Aug. 6. The Earl of MINTO, on page 452, line 26, *alter* I *to* he; on pages 463, 470, 471, 499, the observations attributed to the Earl of Minto were made by another noble Lord.

Aug. 13. Mr. CHANCE, on page 1137, the third and fourth lines should read, "of writs of *fieri facias* of their unreduced rents."

Aug. 13. Sir J. SWINBURNE, on page 1160, line 12, *alter* impropriators *to* tithe owners; line 34, *alter* work *to* worship.

Aug. 17. Mr. RAIKES, on page 1637, line 31, *alter* tourist *to* transit; page 1638, line 5, *alter* Church *to* Trade.

he has an idea of proposing, for the various counties. I hope that before the noble Marquess comes to any final conclusion on that matter he will consult very carefully the public bodies in the various counties—I do not mean only the Commissioners of Supply, but I allude to the Road Trustees, or any other body which represents the public to any considerable extent, because we all have one interest in this matter—what we want is sensible, intelligent, economical local administration. It would be a great pity if such bodies were too few in number, because then the public would feel that they were not adequately represented; but I think, on the other hand, it would be as great an evil if those bodies were to be too numerous, because that would throw a very large expenditure upon the rates, and if you have once established a large body it becomes very difficult indeed to reduce its numbers at any period afterwards. There are, of course, a great many matters of detail in such a measure as this, and with those I do not intend to trouble your Lordships now. There is only one to which I will allude, and that is that, in forming the District Committees with regard to the management of roads, I am sorry to see that it is proposed to appoint only a member connected with each parochial body. I should object more than I do to these proposals if I did not believe that the constitution of these parochial bodies is very likely to be enlarged. At all events, the noble Marquess will have observed that in the District Committees those representatives will almost in every case outnumber the County Councillors with whom they will have to sit. Those, my Lords, are all the remarks with which I will trouble you on the Second Reading; and I may say of this Bill that I regard it as a measure for creating a new machinery in the shape of County Councils. It is obvious that, if it is found to work well, its provisions can be largely extended hereafter; and I observe that it is in the power of the Secretary for Scotland to entrust to these Councils hereafter any other matters of local interest which he may think it advisable to entrust to them, subject always to the sanction of Parliament. The Commissioners of Supply have done their work well, as the noble Marquess has said. They have been very economical; they have done their work very sensibly, and they have restricted their action to the subjects with which they had to deal. I have every confidence that their successors will follow their example, and I think it is high time we should take a clear step of this kind in popularising Local Government. I think, on the whole, that under this Bill the new County Councils will do the work of Local Government in a very practical manner.

*THE MARQUESS OF TWEEDDALE: I do not intend to occupy your Lordships' time at any length, but I wish to make one or two remarks upon this Bill with regard to a subject which, I think, will justify me in asking your Lordships' attention. In the first place, I wish to add my testimony to the great value of the measure which has been introduced this evening. I believe it will carry out its aim and object—namely, the placing of Local Government in Scotland on a more popular basis than that on which it has hitherto stood. It is quite true, as has been remarked, that local affairs have been hitherto admirably administered in Scotland, both as to economy and efficiency; but the management has been in notoriously too few hands, and the extension of the control of local matters, and the placing the administration of them on a more popular basis, will, no doubt, be of great benefit to Scotland in many ways. The particular point to which I wish to draw your Lordships' attention, in the first instance, is this. Some of your Lordships are aware that Corporations in Scotland, such as Gas Corporations, Water Companies, and Railroads, have hitherto enjoyed a representation, in respect of the rates which they paid, to a very large extent. They are represented on the Boards of Commissioners of Supply; they are represented on the Boards of Road Trustees; they are represented on the Boards of Local Authorities and upon the Parochial Bodies. By this Bill every sort of local representation is swept away, and they are left without any voice in the election of the Councillors. This seems to me to be altogether inconsistent with the intention of the Bill. The noble Marquess used the words that payment of rates was essential to taking an active part in the elections to the Councils. When I tell your Lordships that the railroads alone in Scotland pay £200,000

a year in rates, you will not be surprised to hear that hitherto they have had some voice in the management of local affairs in respect of those rates. I am not able to speak so well with regard to the Gas and Water Corporations, but I have no doubt that they contribute largely also. I have a list of counties here amounting to 18, in which they are the largest contributors to the rates in those counties. Yet, notwithstanding this, as I said before, their representation is to be entirely swept away. Now, having regard to the fact that the only change which was made in this Bill in its passage through another place was with regard to the right of eligibility to the Council being extended to parties who practically pay no rates whatever, it does seem strange that those who have hitherto enjoyed the right of representation should have that right entirely abrogated. I hope the noble Lord who has charge of this Bill will take this matter into consideration; and I do not think it will be difficult for him to devise some means by which those powerful Corporations who contribute so largely to the rates in Scotland as well as in England should have a voice in the representation. Another of the points on which I should ask your Lordships' attention is with reference to the rules relating to the appointment of officers under Clause 82. It seems to me of very doubtful expediency compelling the new Councils to appoint the Clerks of Supply. Under that clause they have no option, but they must appoint for the first year whoever happens to be the Clerk of Supply. The Clerks of Supply will be, in many instances, by no means the least important of the officials who will be brought under the County Councils. In the County to which I belong the Clerk to the Road Board is a more important individual, and is far better paid than any other, and it seems to me either that the Councils should be permitted to appoint their own officers from the first, or they should be allowed to select from among the officers brought under their control. In that way I should prefer myself giving them full liberty in the choice of their officers. It is more important, especially at the commencement of such an institution as this, that the Council should have the best advice that they can possibly get. Anyone who has had anything to do with Scottish business knows the importance of this, and how much the efficiency of the administration of Scottish local business will depend upon these posts being properly filled. I think the County Councils should at least have the option of appointing any officer whom they think most efficient to act as County Clerk. Then, my Lords, Clause 22, which has been referred to by the noble Lord, deals with the question of the appropriation of the License Duties and Probate Duty Grants. Those grants are distributed in six different ways. In the first five the sum allocated is a fixed sum, and the sum which is to be given in relief to State-aided schools is to be the balance. This sum may vary very considerably, but it seems to me to be very desirable if it were possible that the sum should be so far as it can be made a fixed one. I do not know whether that is impossible to be done, but I should like to suggest, at any rate, whether it would not be practicable to strike an average, say, for the last ten years, so that the Local Board might know pretty nearly what sum they would be entitled to in regard to the relief of school fees. The only other point which I have to refer to is the appointment of Justices of the Peace under Clause 10. That clause says that the Chairman shall be by virtue of his office a Justice of the Peace of the county. Justices of the Peace have hitherto been appointed by the Crown. I do not know whether the appointment by an Act of this kind will make any difference, or whether it will be necessary to make any new provision under which a Justice of the Peace will in future be made otherwise than by the Crown. I have no other observations to make than to say that I believe this measure will be attended with great advantage to Scotland. We have all had experience of popular Government in the administration of roads and schools, and, speaking for myself, and in my capacity as chairman of bodies of both kinds, I can only say that the introduction of the popular element has been attended with complete success. I have, therefore, no fear whatever of the operation of this Bill.

*THE MARQUESS OF HUNTLY: My Lords, I have very few remarks to make.

I feel that matters of detail would be best dealt with in Committee, but I should not like so large and important a measure as this affecting Scotland to pass without expressing an opinion upon it. I should myself have preferred that the Bill should have started upon another basis in dealing with the question of Local Government in Scotland, that is to say, I should have preferred the parish to be taken as a unit to start from, then the election to the District Committee, and then to the Central Council. But I recognise the difficulties of proceeding upon that basis in such a measure, and especially in Scotland; and I think that, taking it as a whole, the Bill now put down for Second Reading is as good a one as could be framed upon the lines upon which it has gone. But there are certain points which I think will have to very carefully considered in Committee. I agree with what my noble Friend behind me said as to the advantages of the Joint Standing Committee for the purpose of controlling the expenditure, but I do not entirely agree with him as to the bearing it may have upon the question of the maintenance of roads. As I read the Bill the whole of the powers now vested in the Road Trustees are transferred to the Road Board, which is to take the place of the Committees of Chairmen—I am now speaking of my own county under our private Act. This Board then delegates to the District Committee the entire maintenance of the roads, and the District Committee will have the management of them and will assess the rates. Therefore the whole of the rating for the maintenance of roads comes through the District Committee. But by Section 18, although they have the power of rating, yet the power of doing certain things for the improvement of the roads, is taken away from them. If your Lordships will look at that clause, Subsections 6 and 7, you will see that no capital works, that is, works involving capital expenditure, can be undertaken in any county or any district, without the written consent of the Standing Joint Committee; and then it is enacted that capital works are to include the erection, rebuilding, or enlargement of buildings, and the construction, reconstruction, or widening of roads and bridges. My experience in Aberdeenshire is that the powers conferred upon the Road Commissioners have been largely taken advantage of, but as I read this clause in future, though the District Committee will have the power of levying the rates under the Roads and Bridges Act, they will not be able to improve the roads and bridges in their district without the consent of the Standing Joint Committee; and I think that might be modified.

*LORD BALFOUR: Not if they pay for them out of the rates for the current year.

*THE MARQUESS OF HUNTLY: I was going to add that I see there is a provision for the payment of all works out of the current year's rates. Now, this is a very startling proposal, and will require consideration in Committee. However, I simply call the noble Marquess's attention to that, and perhaps by the time the Bill comes into Committee he will have considered it. Then the only other important point in this Bill upon which I would desire to say a few words is the proposal to devote the balance coming from the Probate and Licensing Duties to the relief of State-aided Schools. Many objections, no doubt, have been raised to that proposal, but I am quite clear that the majority of Scotchmen are in favour of that proposal, and I think the noble Marquess was quite justified in his reference to the almost unanimity with which that proposal has been received. I can only account for that unanimity by referring it to the feeling which has been manifested since 1874 when the Education Act was passed, and when a large expenditure was thrown upon the rates in connection with the schools, which had not previously fallen upon them. As your Lordships know, the Education Act imposed upon the rates a very heavy burden which they had not previously been called upon to bear, and an increase of that kind is always felt very severely indeed by the poorer ratepayers. This Bill will, I think, relieve them, for it is not so much a relief to the parents of the school-children as to the poorer ratepayers. It will, no doubt, be a very sensible relief to them. With those few words I beg to express my approval of this Bill.

*LORD FORBES: My Lords, I shall say but little at this stage of the Bill. I am sorry to see in this measure a repetition of what was done in the English County Council Bill. I have to

say that my remarks upon this matter are not original, for they really follow what was said by Earl Beauchamp with regard to enlargement of area. I do not think, in England, the same objection exists, because, there, political feeling does not rise so high as it does in Scotland; but I cannot help thinking that it is unfortunate we should have a repetition of the same state of things. I think, instead of there being one County Councillor for each area as proposed, it would have been much better if the area were enlarged and six or so returned for that area. You would then get, as representatives, different sorts of people. You would get, perhaps, the larger tenant-farmers, the doctors, or the veterinary surgeons of the neighbourhood, whereas, if you have one Councillor only for one area, you will perhaps get the person returned who puts himself most prominently forward. I very much fear that the effect of that clause will be that the most pushing or energetic person, possibly some farmer Radically inclined, will be found putting himself forward. I do not know what may happen to this Bill in Committee, so many Bills disappear at that stage; but I desire to give notice that I intend to move the deletion in Clause 82 of the latter part of Sub-section 3, the whole of Sub-section 4, and the latter part of Sub-section 6. My Lords, it seems to me that this point of one Councillor, one area is an important one and ought to be well considered. In other respects I think the Bill a useful and necessary one.

*THE EARL OF MINTO: My Lords, I wish to make only one remark. To my mind this Bill is in many respects a valuable one, and I hope it will work well in Scotland; but, in my opinion, the disfranchising part of it, as regards many of those who are qualified to take an intelligent part in the government of the county is a defect. Those persons are at present rather a numerous body, and by this Bill you are diminishing the number of those who may take part in treating subjects to be brought before the Council. I only wish to make that remark, and I shall perhaps in Committee move an Amendment embodying my views on the point. I rather think that the noble Lord who has just spoken looks upon it in the same light as I do myself.

On question that ("now") stand part of the Motion, resolved in the affirmative: Then the original Motion was agreed to: Bill read 2ª accordingly, and committed to a Committee of the Whole House on Tuesday next.

INTERPRETATION BILL. (No. 92.)

Adjourned Debate on Amendment moved on Third Reading resumed according to Order.

THE LORD CHANCELLOR: My Lords, I do not think I ought to persist in the Amendment which I had sought to introduce into this Bill after the remarks of my noble Friend upon it with regard to both place and time. Although I am still of opinion that it is important some such amendment of the law should be made, yet I should be sorry to carry by a majority an Amendment of this description, which some noble and learned Lords think is not really called for by the necessities of the case. I can only say, in abandoning this Amendment, that I shall claim from those noble and learned Lords next year their assistance into putting into a form more satisfactory to themselves some general enactment, which shall have a more definite legal meaning attached to it, so that that confusion shall not be possible in private Acts which exists at present. I know it is very easy to say that you can always cure that by putting a specific section into the Act. That is quite true; but the answer is that people do not do so, and the consequence is that from time to time Acts are passed without any provision as to what meaning is to be attached to them in computing time. Under the circumstances, after the opposition which has been offered to it, and the explanations given by my noble and learned Friends the other night, I do not think it would be becoming in me to persist in the Amendment of which that alteration formed the subject.

Amendment (by leave of the House) withdrawn.

Another Amendment proposed, in Clause 12, line 11, after the word "India" insert

"And where parts of such dominions are under both a central, and a local legislature, all

parts under the central legislature shall, for the purposes of this definition, be deemed to be one colony."—(*The Lord Chancellor.*)

Amendment agreed to.

Bill passed, and sent to the Commons.

STATUTE LAW REVISION BILL.
(No. 186.)

Read 2ª (according to order), and committed to a Committee of the whole House on Tuesday next.

COUNTY COURT APPEALS (IRELAND) BILL. (No. 104.)

THIRD READING.

Order of the Day for the Third Reading read.

LORD FITZGERALD: My Lords, I have to move an Amendment on Clause 13, by which the right to appeal is given to a defendant who has not appeared at the hearing, within one month. The Amendment is to insert the words at line 19 after the word "may."

LORD HERSCHELL: My Lord, I shall not oppose the Amendment which my noble and learned Friend has now proposed, though I must confess I am not satisfied that it is really necessary. The fact is that this clause was considered after the Bill was introduced at the Irish Office. After my noble and learned Friend gave notice of a Motion to reject Clause 13, it was again considered at the Irish Office, and especially by the learned Solicitor General for Ireland, and he was satisfied with the clause as it now stands. I do not profess myself to know much about the special needs or wants of Ireland in this respect, but I do rely upon the matured view of the learned Solicitor General for Ireland who has considered the matter. But as my noble and learned Friend presses this point I shall not oppose him; of course, the matter may still be considered elsewhere.

Amendment agreed to.

Bill passed, and sent to the Commons; and to be printed as amended. (No. 205.)

INDIA—DISTRESS IN THE DIAMOND HARBOUR DIVISION OF THE PEGUNNAHS.

QUESTION.—OBSERVATIONS.

*LORD STANLEY OF ALDERLEY, in rising to ask the Secretary of State for India if his attention has been called to the Report of Mr. Bolton, collector, on the distress in the Diamond Harbour sub-division, and to the fines of two rupees or a week's imprisonment on nine starving men, and of one rupee on a woman, inflicted by Mr. Maguire, the Joint Magistrate of Alipore, for a breach of the Revenue Laws, they having scraped some salt from the earth to add to their meal of tamarind seeds and stalks of the water-lily; and to ask the Secretary of State what portion of the Reserve Famine Fund has been devoted to the famine in Ganjam and Orissa, said: My Lords, before putting the question which stands on the Notice Paper in my name, I wish to mention the great good which has resulted from the efforts of Lord Connemara, the Governor of Madras, and from his personal inspection of the district at the northern extremity of the Presidency, regardless of the hot season, when it is usual to take refuge in the hills at Ootacamund. Besides establishing relief works, the Governor of Madras has directed gratuitous relief to be given to women and children, who, but for that, must have perished; and local liberality has been encouraged by the presence of the Governor. The Indian Press is full of praise of Lord Connemara, not only for his exertions, but also for the way in which he has avoided the mistakes made in former famines; and it also states that he has received a message of commendation from Her Majesty the Queen. I hope that the noble Viscount the Secretary of State will be able to confirm the truth of that Report. The questions which I wish to ask the Secretary of State for India are—first, whether his attention has been called to the Report of Mr. Bolton, collector, on the distress in the Diamond Harbour sub-division. He went there, but he was there for so short a time that the people were not aware that he had been at the place until he was gone. In his Report he minimises the distress, it is said on insufficient information, and states that it is the proper policy not to demoralise the people by giving them food. It must be remembered that there is no Poor Law in India, and that the Government alone can relieve distress. I do not ask the Secretary of State to censure Mr. Bolton, but I ask him to disagree with that

gentleman. Perhaps the best way of showing disagreement would be for the Indian Government to circulate Lord Connemara's Minute in other famine districts, if it is really as able a document as it is said to be. It has been stated that Lord Connemara has had experience of former famines, and has avoided the mistakes then made. As to Mr. Maguire's sentences for breach of the Revenue Laws by starving men, I hope the Secretary of State will be able to say that this Magistrate has been directed to exercise more discretion in future. The nine men who were imprisoned by him for a week not being able to pay the fine were perhaps benefited, as they must have been fed whilst in prison; but the woman said that if she were sent to prison her two infant children would starve. A Hindoo pleader who was present, speaking merely as *amicus curiæ* besought the Magistrate to dismiss her with a nominal fine, but without success. At last the Magistrate said to the woman, "you are fined a rupee which this Baboo will pay." The Baboo paid the fine, and the woman was let go. One feels somewhat curious to know whether Mr. Maguire, like most Irishmen in India, is a Home Ruler or not. If a similar occurrence took place in Ireland, what an outcry there would have been from the whole people and Press of Ireland at the conduct of the Magistrate. With regard to the last question in my notice, I may say that I have seen statements in the Press to the effect that the Reserve Famine Fund has been swept away or swallowed up in the North-West frontier; but I cannot believe that those statements are correct, because I find that in his Despatch of April 12, 1888, sanctioning the raising of the Salt Tax, the Secretary of State has written the following paragraph:—

"There is another reason of great moment for endeavouring to keep the duty on salt as low as practicable. One of the objects at which the Government of India aimed in the reforms that were instituted, of which great political and financial importance was foreseen, was to place a reserve in the hands of the Administration, for the purpose of meeting any serious emergency, and to enable them to obtain temporarily a considerable addition to the Revenue by an increase of duty, of which the mass of the people would be hardly aware."

This extract from a Despatch of April of last year would indicate that precautions must have been taken to reserve a fund for the emergency of the famine which has now occurred. From what has transpired in another place I am afraid the noble Viscount will not be able to give a satisfactory account of what has become of this fund, but it is clear from a telegram I have seen, stating that a total number of 80,000 people in Ganjam are receiving gratuitous relief, that the Indian Government has not regarded the disappearance of the fund, but must have supplied money from the equivalent in India of the Consolidated Fund. Lord Ripon lowered the Salt Duty a short time ago: it has been raised again, and the people of India are suffering very much in consequence. The last Medical Reports say that salt is required as a preventative against cholera, and there is no doubt also that the cattle suffer from murrain for want of salt. I think, my Lords, that before long the noble Viscount will have to look about for some other means of raising Revenue.

*THE SECRETARY OF STATE FOR INDIA (Viscount CROSS): My Lords, with regard to the action taken by Lord Connemara in regard to the distress existing in the Presidency of Madras, I think you will agree that it is impossible to speak too highly of it. The Governor of Madras sent one of his most trusted officers at the earliest possible opportunity to examine into the whole question; and then, although the weather was extremely hot and the season far advanced, he thought it was wise to go to the district affected and make searching inquiry himself. The results have been most satisfactory. Lord Connemara has undoubtedly by this action given enormous encouragement to all those who are engaged in relieving the distress which exists, and has done a great deal to alleviate the sufferings of the people. It is quite true that Her Majesty has sent a message to Lord Connemara approving of his conduct, and unquestionably that high compliment the Governor of Madras has fully deserved. I have not yet received an official copy of the Report of Mr. Bolton, and therefore I must decline to discuss that matter at present. Neither have I received any information as to the alleged punishments referred to by the noble Lord, inflicted for scraping salt from the earth, but I will make inquiries. As to

the famine, I can assure the noble Lord that the Viceroy is fully alive to all the dangers and difficulties of the situation, and that everything that can be done to alleviate the distress in Bengal and Madras has been done. As to the noble Lord's question regarding the Famine Fund, I must explain that there is no actual Reserve Fund. The expenditure which would be necessary to alleviate distress in Madras and Bengal will be meanwhile met out of the Provincial Funds, and according to a telegram which I received a few days ago the sum which would be required in Madras for the current year is set down at Rx82,000 and for Bengal at Rx40,000. The Provincial Governments are quite able to meet that expenditure. Of course if they had not had sufficient funds to do what they desired they would have applied to the Central Government, and they would have been offered money out of the Indian Imperial Exchequer, but I am happy to say that there is no probability of that being necessary.

TRANSPORT FOR THE AUXILIARY FORCES.

QUESTION—OBSERVATIONS.

*LORD TRURO: My Lords, I have to call your attention to, perhaps, one of the greatest anomalies that ever existed —namely, a standing Army—which has grown within the last 30 years to the number of 250,000 men, unprovided with transport. We have, within the last week or two, had the powerful assistance of the Lord Mayor, who has interested himself in the question of providing the Volunteer Regiments generally with proper equipment. However successful the Lord Mayor may be in London, and however successful the provincial towns of England may be should they follow his example, it is perfectly clear that without transport that Army of Volunteers must be practically useless, for the simple reason that it must be immovable. It can neither advance to the front to meet the enemy nor can it retire, if necessary, to take up a better position. Defeat, therefore, under such circumstances would simply mean its total and entire destruction. Inasmuch as the Volunteer Force has existed for a period of 30 years, it does seem somewhat extraordinary that, until quite recently, as far as I know, no attempts have been made on the part of the Military Authorities to organise in any way whatever a Volunteer Transport. Like many other requirements for the benefit of the Volunteer Force, the first suggestion of Transport has come from Volunteer officers themselves. Colonel Sir William Humphreys, a man of great ability and energy himself, undertook — one can hardly call it the organization, but an attempt at the organization of a Transport Force for his own corps in Hampshire, and I believe he met with somewhat unusual success. I think it will be found that similar success will not attend other battalions of the Volunteer Force, even should their officers exhibit the same ability and energy. It cannot be expected from the general public in this country that they will be willing, without either money reward or some honorary acknowledgment, to give gratuitously their horses, their carts, and their men, too, perhaps two or three times during the year in order to try whether the proposed scheme will be effective. I cannot therefore but come to the conclusion that although this able officer has been successful in his attempt, it is idle to suppose that such attempts, if carried out in other parts of the country, can attain like success. But it was upon this favourable Report of Colonel Humphreys that the War Office has been induced to issue two different Circulars in relation to transport for the Volunteers. The first of these Circulars was issued on the 14th February, 1888, when 10 regiments were selected in certain localities for the purpose of ascertaining whether the scheme suggested by Colonel Humphreys promised success. Now I do not know whether the localities in which these regiments were selected were localities most favourable to the trial of the scheme, or least favourable to it; but of this I am certain, that in trying such an experiment as this it should, to have been really of value, have been tried in the least favourable places. Whether that was so or not I will not pretend to say —certainly some of the localities, from what is stated in a Paper which I have read recently, do not appear to have been the least favourable. Now, the

War Office Circular lays down very properly certain requirements in relation to this Transport Service, and in looking at the Return that was furnished it would appear, as it has been with regard to many other things in the Volunteer service, as though the War Office authorities would say, "you must do it yourselves." They have had no scheme of any kind whatever, and they have no scheme now; for the new instructions which they issued after this experiment to Colonels of Volunteer regiments were to register the cart and horses (I do not think men) in their several districts is hardly to be called a scheme. They have also intimated a wish that every encouragement should be given to those who are willing to lend their carts and horses for different days in the year that the experiment may be fully tried. Now, in the first instance, the War Office intimated its willingness to give £45 towards the expenses of the experiment to each of the battalions. In some cases the expenses will be found to have been in excess of that amount, though in one or two cases I believe the expenses of the battalion were kept within the margin of £45. Let me take the first Volunteer Battalion that stands upon the list. A very important part of any experiment of this kind was not tried—namely, the picketing of the horses. And why? The report says that the weather was unfavourable, and that the horses were therefore not picketed. Certain artificers were required, three to each battalion; it does not appear that artificers were forthcoming in anything like the number required. In one case the horses were too big for the water cart; in another case the horse bolted with the water cart, the shaft was broken, and it became utterly useless. In four or five instances in this return the horses were not picketed, because, as reported, the weather was wet or cold, or because the horses had no picketing-gear. In this Report it is stated that the Volunteers applied to the Government for the use of picketing-gear, which was refused. Now, seeing the small allowance —for small I must call it — that is demanded for all the exigencies of the Volunteer Service from the War Office, I think there should be no objection to an addition being made in this respect in order that a force of this character may be brought to a state of efficiency. At some time there can be no doubt a very great increase in the expenses will have to be provided for, and Her Majesty's Government must therefore be prepared for it. My Lords, after having tried this experiment, and after having received the Reports from the different regiments, there came this letter of the 22nd March, 1889, relating to the transport of the Auxiliary Forces, by which, at the direction of the Commander-in-Chief, Volunteer Officers were informed that the reports from the various districts had shown that a system of Volunteer transport was not requisite, and that it had been decided to discontinue, as far as the War Office was concerned, any steps in that direction. The circular further stated that officers commanding Volunteer battalions should annul any contracts of this nature which they had entered into on behalf of the State, and they were instructed to give notice to terminate them as soon as possible. The whole scheme has come to an end, and the War Office simply says that we are to rest where we are. My Lords, can it be contended by anyone that this is a proper condition for a standing army to be in? Is it possible that in a week or a fortnight the carts required for the transport of ammunition and baggage can be got? Your Lordships know from your own personal experience that matters of this kind certainly take a month or so, and if, as has been supposed by some authorities, an attack on this country would be settled one way or another in a week or ten days, I should like to know what would become of the Volunteer army without transport. This circular goes on to say that the experiments have proved that "ample transport is forthcoming for the use of Volunteers." Whether or not this has been proved in the places which are least favourable, I do not know. I believe that in the places selected there was abundance of transport. But it is not an abundance of transport alone that is necessary; it is the organisation of transport. Anyone who knows anything of these matters is aware that to carry them out requires a great deal of time and practice. You can no more organise the necessary transport at a moment's notice than you can organise imme-

diately any other great undertaking. Then it is further stated that—

"No further grants in aid will be made, but His Royal Highness desires that there may be kept up in all districts a careful system of registration of available transport which can be obtained upon any emergency so as to ensure that the transport requirements of the Volunteer Force may be met with ease and rapidity. As the practical testing of such a scheme will materially aid to efficiency, Volunteer Officers should be encouraged to take this transport with them when going into camp, and on other occasions."

I do not know, my Lords, where the encouragement is! If withdrawing the sum at first granted is encouragement, I think it is strange indeed. If they think the farmers will lend them horses and carts on all occasions for nothing, I think they will find themselves greatly mistaken. We all know that the Englishman is a very fine fellow, but I am not quite certain that he is not a tradesman before he is a patriot. Then the Circular says that—

"All Inspecting Officers should forward Reports with regard to this scheme, and of the practical steps taken from time to time to put it into execution."

I do not desire to detain your Lordships longer on this matter. I simply desire to call the attention of the noble Lord the Secretary of State for War to those two Circulars, which are certainly inconsistent with each other. When I say inconsistent, I mean that the experiment has not been sufficiently tried to satisfy the War Office that what they are proposing to do is likely to be effective. I am satisfied it would not be effective, and the question I am desirous of putting to the noble Lord is this—Has the Government abandoned, once and for all, its intention, not of registering carts and horses, but of organising a transport system for the Volunteer Forces? I say that, as far as I can judge, if they propose to abandon to the efforts of the Volunteers themselves the organisation of transport for that service, they are not doing justice to a force which has endeavoured to the best of its ability to supply a defence for the country in case its services may ever be required.

*THE UNDER SECRETARY OF STATE FOR WAR (Lord HARRIS): My Lords, the great interest which the noble Lord has always taken in the Volunteer Force fully justifies him in bringing forward any subject having reference to that force in this House; but I am afraid that the views of the noble Lord on this question and the views held by the Military Authorities hardly go together. I take it that the noble Lord starts with the assumption that the total and entire destruction of the Volunteer Force would ensue if they had to meet an enemy and have not an organised transport. I can quite understand, in the case of a country being invaded, or an expedition advancing from the coast where carts and horses were not easily procured, that dictum as to the necessity for transport being correct; but I submit to your Lordships, in the case of a country like England, with its vast supply of carts and horses, we are in a very different position, and that, as a matter of fact, it would be extremely easy on any sudden alarm to obtain such transport as was required for any Volunteer Forces. The noble Lord has called special attention to certain War Office Circulars, and it is necessary for me to detain your Lordships for a few moments while I explain what occurred in regard to the two experiments made which those Circulars had reference to. As the noble Lord has stated, the result of the experiment made by Sir William Humphreys induced the War Office last year to select 10 infantry battalions to further try the experiment whether carts and horses could be procured and the men to drive them, and whether those carts and horses could be brought out for three days' practice during the time the battalions went into camp. By that arrangement, to pay the expenses of those carts and horses being out for three days the sum of £45 was given to each battalion. The noble Lord appears inclined to cavil at the opinion of the War Office that the experiment was successful, and he instances the fact that, in one or two cases, horses were not picketed. I believe that in a few cases they were not picketed, but that was simply because it was not thought necessary for climatic reasons to incur loss which could be avoided. Whether that was due to the action of Local Authorities or to the Commanding Officers of the battalions, or the Officer commanding the sub-district, I do not know; but it was considered that colds might result to the horses from being picketed out at night,

and I think that most people will agree that the Officers were perfectly right. At any rate, the opinion of the War Office was that the experiment was eminently satisfactory, and that it showed there was an ample supply of carts and horses for the transport of Volunteers. From what we know of the resources of the country, we have every reason to believe that this applies equally elsewhere, and that the same conditions will be found to exist in other parts of the country. The noble Lord will see that the Circular expressly refers to it as an experiment—nothing more. It was never intended that £45 should be granted to every infantry battalion in the country for the purpose of organising transport; the experiment was solely made to see whether the same thing could be carried out in other parts of the country, and our experience has shown that it can. Then the noble Lord referred to contracts, which, in some cases, had been entered into by Commanding Officers with persons owning carts and horses to supply them under certain conditions of emergency or when required. But it is obvious that we could not allow Commanding Officers to enter into contracts in which we were pledged to purchase those carts and horses at a future time. Clearly, in such a matter, it is necessary that headquarters should have the last word as regards the price that should be eventually paid. Therefore, it was proposed to carry out the idea in another way; that a skeleton form of contract should be sent round to all Commanding Officers of Volunteer battalions asking them to ascertain whether persons owning carts and horses in their neighbourhood would enter into such contracts. That scheme had nothing whatever to do with the scheme which Sir William Humphreys originated; it was a distinct system altogether, and was adopted in consequence of one or two Volunteer officers having entered into contracts. That was to some extent a little misunderstood by Commanding Officers, but at any rate the returns which they made showed that owners of carts and horses were unwilling to pledge themselves in the future to supply them without a price being agreed upon beforehand. But, my Lords, in the meantime, something else has happened. The National Defence Bill has passed; and we can now requisition carts and horses, not for a limited period merely, but we can actually take those carts and horses and purchase them for as long as they are wanted. Before that Bill passed carts and horses could only be taken for a day's journey, but now they can be bought out and out at a value fixed; and when there is disagreement the matter may be referred to a County Court Judge. So that we are in a much more advantageous position with regard to obtaining transport now than when we issued the skeleton form for such contracts. As I have stated to your Lordships, we can now take carts and horses when they are wanted, according to the value set upon them at the time by the valuers. My Lords, I do not think it would be reasonable to ask the taxpayers of this country to keep up for what the noble Lord has called "a standing Army," that is to say for the Volunteer Force, a Standing Transport. I do not see how it could cost less than £10,000, taking it even upon the basis of the £45 each given to the 10 battalions; but whether that is considered a large or a small sum, I am bound to say that in my opinion we should not be justified in asking the country to keep up a Standing Transport Service for the Volunteer Force, because we know that there is an ample supply of both horses and carts in this country which would be forthcoming in the event of any attempt at invasion; and from the experience of the Military Authorities, it is believed that that transport could be adequately organised in the time within which it would be necessary for it to be organised. My Lords, upon those grounds it is, that the scheme for testing the supply of transport in the cases mentioned by the noble Lord has not been pursued, and as regards the scheme for contracting for the supply of carts out-and-out, that has been rendered unnecessary by the passing of the National Defence Act. But it is obviously a very great advantage, as pointed out in one of the letters, that Commanding Officers should keep a register of the carts and horses suitable for this purpose in their neighbourhood, because in the event of emergency, those are the carts and horses which we should be able to obtain and

organise for transport purposes if they were wanted. I do not think from what I have heard from the Military Authorities that there is any necessity for establishing a Volunteer Transport Service; but such a register to be kept by Commanding Officers as is proposed in the War Office Circular would be of great value. I think it is very possible as the noble Lord has said, that we have not received from the Volunteers the last demand that will be made upon the country's purse in order to make provision for their equipment; but I am glad to hear the noble Lord acknowledge that the last grant made has been an assistance to them. My Lords, I can only say that whenever we think it is essential that the Volunteer Force should be assisted by schemes of a tentative nature such as those which have been brought under your notice by the noble Lord to-night, we shall most certainly carry them out in order to increase the efficiency of the Volunteer Force; but where we do not think they are absolutely essential we certainly decline to put the taxpayers to increased expense.

AUDIT (ARMY AND NAVY ACCOUNTS) BILL. (No. 164.)

Read 3ª (according to order), and passed.

House adjourned at Seven o'clock, til[1] To-morrow, a quarter past Four o'clock.

HOUSE OF COMMONS,

Thursday, 1st August, 1889.

QUESTIONS.

THE COLONY OF ST. VINCENT.

MR. MACNEILL (Donegall S.): I beg to ask the Under Secretary of State for the Colonies whether his attention has been called to the case of Mr. C. J. M'Leod, who was appointed Provost Marshal and Inspector of Prisons in the Colony of St. Vincent in 1882, at a salary of £250 per annum, and upon whom, in the last three years, the additional offices of Registrar of the Supreme Court of Judicature, Registrar of Deeds, Registrar of the Court of Appeal for the Windward Islands, Secretary to the Incumbered Estates Court, and Registrar, Taxing Master, and Receiver in Bankruptcy, have been imposed without an increase of salary; whether there is any precedent, either in the Imperial or Colonial Service, for imposing seven more offices upon an officer without any addition to his salary; whether the Secretary of State will consider the question of either granting to Mr. M'Leod an increase of salary, or relieving him from performing the onerous and responsible duties of the said offices to which he has been appointed and for which he receives no additional remuneration; and, whether each Governor, under whom he has served, has placed on record his approbation of the manner in which he discharged his duties?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): Mr. M'Leod was appointed in 1882 Provost Marshal in the Colony of St. Vincent, the duties of which office included the inspectorship of the prison, with a salary of £250 per annum. By a colonial law, passed in 1886, the office of Provost Marshal and the office of Colonial Registrar, which embraced the duties of Registrar of the Supreme Court, Registrar of Deeds, Registrar of the Court of Appeal, and Secretary to the Incumbered Estates Court, were abolished, and a new office of Registrar was created to which the duties of both the abolished offices were attached with a salary of £250 per annum. This new office was offered to, and accepted by, Mr. M'Leod. By a subsequent Ordinance the duties of Registrar, Taxing Master, and Receiver in Bankruptcy have been assigned to the Registrar without increase of salary. There are precedents in the Colonial Service for imposing additional duties on public officers without additional salary. As the duties of the combined offices held by Mr. M'Leod can be easily discharged by one officer, and the salary is not considered to be inadequate, having regard to the financial position of the Colony, the Secretary of State does not propose to recommend that his salary should be increased, or that he should be relieved from any of those duties.

The Governors under whom Mr. M'Leod has served have spoken favourably of him.

THE NATIONAL PORTRAIT GALLERY.

MR. WHITMORE (Chelsea): I beg to ask the First Commissioner of Works whether Her Majesty's Government has acquired from the London County Council the plot of ground on the north of Hemmings Row, the preservation of which as an open space the Architect of the New National Portrait Gallery has stated to be "vital to that scheme?"

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, University of Dublin): The value of the vacant plot of ground at Hemmings Row, if let for building purposes, has been estimated at £7,000. The Government are willing to pay half that amount, £3,500, to the London County Council if the latter body will hand over to them the ground to be kept as an open space. Considering that such an open space would be not only of importance to the proposed National Portrait Gallery, but a great advantage to the Metropolis, I think the offer of the Government is a fair one.

REGULATION OF RAILWAYS.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the President of the Board of Trade if there are any regulations prohibiting Railway Companies from conducting the up and down traffic from one platform, or from allowing the up line of rails to cross the down line; and, if stations where so dangerous a state of affairs prevails have to be altered, and, in such case, within what period of time?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir MICHAEL HICKS BEACH, Bristol, W.): No, Sir; the Board of Trade have no power to make any such regulation as is referred to in the question; but as regards new lines or new stations they now require as a condition of opening that, in case of double lines or of passing places on single lines, each line shall have its own platform.

MAIL BAGS AND RAILWAY ACCIDENTS.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the right hon. Gentleman the President of the Board of Trade whether, in view of the Report of General Hutchinson, dated 21st May, 1889, respecting a fatal accident to a passenger between Perth and Carlisle, on the 19th February, from her head coming in contact with a post office letter pouch, and the statements of General Hutchinson that there are 600 of these mail pouches suspended up and down on the railways, and that—

> "The existence of a heavy obstruction, weighing, if full, about half a hundredweight, and hanging, if motionless, from eight to 13 inches (and closer if oscillating) from the side of a carriage, just above the level of the head of a passenger leaning out of a carriage window, is certainly most dangerous,"

he has made any communication to the Railways and Post Office on the subject; and, if so, with what result?

*SIR M. HICKS BEACH: Certainly, Sir. On receipt of General Hutchinson's Report I at once caused a communication to be addressed to the Post Office as regards the arrangements to be adopted to avoid the risks referred to in the Question. I am informed that the matter, which is by no means free from difficulty, is receiving the most careful consideration of the Postmaster General.

FOREIGN MATCHES IN GOVERNMENT OFFICES.

MR. HOWARD VINCENT: I beg to ask the First Commissioner of Works if it is a fact that the Government offices are now supplied with matches, whereof the boxes bear the device "made in Sweden"; and, in such case, when, and by whose authority, the order was given, what was its amount, and what steps were taken to place it, if possible, among the English working men and women whose livelihood depends on this trade; and, finally, why the Contract was omitted from the recent Parliamentary Return of "Contracts with Foreigners" up to 31st March, 1889?

MR. PLUNKET: There is no direct contract made with any foreign firm for the supply of their matches. Swedish "Lion" matches and Bryant and May's matches are included in a contract made with an English firm, Messrs. R. S. Mendey and Co., of 106, Fenchurch-street, for the supply of soaps and other sundry household articles. Bryant and May's matches are supplied to the Houses of Parliament and several

public buildings, and are always supplied when asked for. They are not so generally supplied as the Swedish "Lion" matches, because the latter are lower in price. The contract prices are 5d. per dozen boxes for the latter, and 7d. for the former. In either case each box contains 100 or more matches.

IRELAND—MONEY ORDER OFFICE FOR LISCARRALL.

MR. FLYNN (Cork, N.): I beg to ask the Postmaster General if a Memorial has been received by the Post Office Authorities, largely signed by the traders and inhabitants of Liscarrall, asking them to open a Money Order Office and Savings Bank Department in that town; and, if, in view of the considerable business done and the important fairs held there, any steps will be taken towards affording those facilities asked for in the Memorial?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): I find that the Memorial referred to by the hon. Member was received on the 5th of June last, and was duly attended to. Liscarrall contains about 600 inhabitants, and from a Return which has been taken it appears that only one money order was issued, during the four weeks ending the 8th June, to any resident in the place. The circumstances, therefore, would not justify a Money Order Office being opened there, unless a guarantee were given by the applicants to recoup the Department for any loss to the Revenue which might accrue from it. Offer has been made of a Money Order Office on these terms, but the offer has not been accepted, and as Postal Orders are already being sold at Liscarrall, I do not see that the Department can do anything further in the matter at present. The question of granting Savings Banks, irrespective of Money Order Offices, is under consideration.

H.M.S. *RODNEY*—H.M.S. *ELK*.

MR. GOURLEY (Sunderland): I beg to ask the First Lord of the Admiralty if it is correct that H.M.S. *Rodney*, which fouled the North Goodwin Lightship, when on her passage to Portsmouth, was considerably out of her course; and, whether the *Elk*, which fouled the Newark Lightship, when on her passage from Queensferry to Portsmouth, was also out of her course; if so, will he state whether either of the vessels had on board a licensed pilot, also the extent of damage sustained by the two vessels and the lightships?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): It is not correct to say that the *Rodney* and the *Elk* were considerably out of their course when they fouled the lightships referred to. An error of judgment in not making sufficient allowance for the strength of the tide was the cause of the collision in both cases. Neither of the vessels had pilots on board, but were navigated by their own officers. The damage done to the ships and light vessels was slight, except to the *Elk*, though even in her case the injury did not extend below the upper deck.

GEMS AND RELICS IN CYPRUS.

MR. STANLEY LEIGHTON (Shropshire, Oswestry): I beg to ask the Under Secretary of State for the Colonies whether he is aware that gems and antique relics found in Cyprus have for many years been, and are still being, taken away from the island; and whether some restrictions could be placed upon their removal?

BARON H. DE WORMS: Digging for antiquities cannot take place in Cyprus except under permit from the Government, which usually reserves to itself a share by way of Royalty. The permits are now given out with much caution, but the licences are not restricted by law as to the removal from the island of their share of what is found. Her Majesty's Government have decided not to issue any further licences (except, perhaps, under very special circumstances) to private parties desiring to export the antiquities for their own profit or benefit, but only to institutions like the Cyprus Museum, the British Museum, the Berlin Museum, &c.

IRELAND—POLICE REPORTS.

MR. M'CARTAN (Down, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, with reference to "the power of writing Reports," which is one of the qualifications for obtaining promotion in the Royal Irish Constabulary, whether he will state what test, if any, is applied as to the accuracy of such Reports?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): Though I admit that neither the hon. Member nor any one else could have guessed it, the expression referred to indicates, I understand, arithmetic, Irish geography, spelling, and handwriting. Excellence in these branches of knowledge is tested by examination.

MR. M'CARTAN: Is the right hon. Gentleman correctly reported in all the newspapers to have stated that one of the qualifications is the power of writing reports?

MR. A. J. BALFOUR: Yes, Sir. I was accurately reported.

MR. GILL (Louth, S.): Are any steps taken to test the accuracy of the reports?

MR. A. J. BALFOUR: The expression, I am afraid, was a misleading one. The qualifications are what I have just read to the House.

ARREST OF MR. M'NAMARA.

MR. COX (Clare, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he has seen a report appearing in the *Freeman's Journal* of the 22nd instant—namely, that—

"A farmer named M'Namara, Secretary to the Crusheen Branch of the Irish National League, was arrested last night at the railway station Ennis. . . . On asking the reason of this step, the policeman replied that it was because he would not tell what was his business in town for the past three days. M'Namara was then brought before Mr. Hodder, R.M., who also interrogated him as to his business in town. M'Namara asked the Magistrate if he had authority from the Crown to ask such a question. Mr. Hodder said he had not. M'Namara was then released;"

and, if so, what action the Government proposes to take with regard to the case?

MR. A. J. BALFOUR: From the Report before me it appears that the statement in the *Freeman's Journal* is both inaccurate and misleading. The man was a stranger, and was observed by the police to have been associating for some days with the bad characters of the places. He was interrogated by the constable. He was not arrested, but went voluntarily before the Resident Magistrate. The Resident Magistrate did not interrogate him as to his business, but merely told him he might make any statement he desired. He declined to do so unless questioned, whereupon the Resident Magistrate told him he could go. The Government do not propose to take any action.

BOILER EXPLOSION INQUIRIES.

MR. SUMMERS (Huddersfield): I beg to ask the President of the Board of Trade whether it is a fact that the Penal Clause of the Boiler Explosions Act, 1882, which provides that—

"The Court may order the costs and expenses of a preliminary inquiry, or formal investigation, or any part thereof, including the remuneration of persons holding such inquiry or investigation, to be paid by any person summoned before it,"

has never on any occasion been put in force, although no less than 336 preliminary inquiries and one formal investigation have already been held; whether any cases have been found where blame could be attached, and where the Penal Clause would have been applicable; if so, how many such cases were there, and what were the reasons which prevented the Act from being enforced in each case; and, if the Act does not give the necessary powers, whether it is the intention of the Board of Trade to take steps to amend the Act so as to give the necessary powers?

*SIR M. HICKS BEACH: Yes, Sir; the facts are as stated in the first paragraph of the hon. Gentleman's question. Of all the cases referred to, the Penal Clause was only applicable in one—namely, that in which a formal investigation had been held; and in that case costs and expenses were not applied for as the circumstances did not warrant it. In many of the cases the result of the inquiry was to show that blame could have been attached, but no formal investigation was held, because it was considered that the main object had been attained by discovering the cause of the accident. It does not appear to me that any further powers are necessary. I am, however, carefully considering whether, in the public interests, the Act could not be more stringently enforced in future.

CANADIAN MAILS.

MR. JUSTIN M'CARTHY (Londonderry): I beg to ask the Under Secretary of State for the Colonies if it is the fact that the Canadian Government have entered into an arrangement with the

Orient Steamship Company of London for the conveyance of the Canadian mail between Plymouth and Canada, which has been for many years carried by Messrs. Allan, of Glasgow and Liverpool, between Liverpool and Canada via Londonderry; whether he is aware that it is not alone a matter of great importance to Londonderry that the service via Londonderry should be maintained, but it is also most important to Ireland generally, as the change in the service would have the effect of cutting off to a considerable extent the intercourse with Canada; and whether his attention has been called to the advantages which a subsidy from the Canadian Government for carrying the mails by steamers, which must call at a French port, and with a subvention from the British Government to the same vessels as Admiralty cruisers, together with the French export bounties, will give to the French manufacturers in Canadian markets over the British manufacturers, who will have to export their goods from Glasgow and Liverpool by unsubsidised steamers, and without the other advantages enjoyed by the French manufacturer?

BARON H. DE WORMS: The details of the contract between the Orient Steamship Company and the Canadian Government are under the control of the Dominion Government, and the considerations referred to by the hon. Member do not appear to justify Her Majesty's Government in making any official representations to Canada on the subject. The improved arrangements are, it is understood, highly appreciated by the public; and they form a part of the great system of communication between this country and the far East, via Canada, from which important advantages are anticipated.

KANTURK AND NEWMARKET RAILWAY.

MR. FLYNN: I beg to ask the President of the Board of Trade if the Board have yet decided on the appointment of arbitrators under Section 13 of "The Kanturk and Newmarket Railway Act, 1888;" is he aware of the request put forward by the Kanturk Board of Guardians, as representing the ratepayers, to the effect that they should have a voice in the appointment of the arbitrators; is it a fact, as reported, that two gentlemen have already been named to act—namely, Mr. Denham Franklin and Mr. Kirby, C.E.; is he aware that Mr. Franklin is the nominee of the company, and Mr. Kirby has acted in an engineering capacity for and has been a paid *employé* of the company; and will he undertake that the request of the ratepayers, as conveyed in the correspondence with the Board of Trade, will receive due attention?

*SIR M. HICKS BEACH: Under Section 13 of the Kanturk and Newmarket Railway Act, 1887, the Board of Trade may, during a specified time, upon the request of the company, appoint as arbitrators the County Surveyor acting for the time being in the East Riding of the County of Cork, and two other persons to be selected by the Board of Trade. The names of two gentlemen qualified to act as arbitrators were suggested by the Railway Company. These names were approved by the grand jury and by the Irish Government, but the Kanturk and Newmarket Guardians suggested two other names. The Board of Trade appointed Mr. Franklin, one of the gentlemen suggested by the Railway Company, and Mr. M'Hugh, one of the gentlemen suggested by the Board of Guardians. They also appointed the County Surveyor, acting for the time being in the East Riding of the County of Cork, following the terms of the Act. It appears there are two Surveyors, and if it be found undesirable that Mr. Kirkby should act the Board of Trade will take steps for the appointment of the other Surveyor acting in the East Riding.

FENIT PIER LOAN.

MR. MAHONY (Meath, N): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that in the instructions issued by the Lord Lieutenant to the cesspayers of the baronies connected with the Fenit Pier Loan, and on faith of which the cesspayers gave a guarantee for £95,000, the following passage occurs:—

"No portion of it (the loan) can be expended on the present canal, or in payment of the balance of the canal debt due to the Public Works Loan Commissioners, or of the instalments of the present loan;"

but that, in spite of this passage in the

instructions, £2,500 was paid to the National Bank in discharge of a debt due by the canal, £300 and £290 were paid to the Public Works Loan Commissioners in discharge of the debt due by the canal, and £3,192 11s. 4d. was paid to the Irish Board of Works in discharge of the instalments on the Fenit Pier Loan referred to in the Lord Lieutenant's instructions as the present loan; whether interest has to be paid and capital repaid by the taxpayers as regards these sums, although these sums were paid by the Fenit Harbour Commissioners in direct contravention of the Lord Lieutenant's instructions, on the faith of which the taxpayers gave their guarantee; and, whether, if these facts be as stated, he will take steps to enforce the instructions of the Lord Lieutenant?

MR. A. J. BALFOUR: Full information on the subject of this question has not yet reached me. I must therefore ask the hon. Member to be so good as to defer it for two or three days.

GLOUCESTERSHIRE ENGINEER VOLUNTEERS.

MR. BRADLAUGH (Northampton): I beg to ask the Secretary to the War Office whether his attention has been drawn to the fact that the 1st Gloucestershire Royal Engineers' band is advertised to take part in a Unionist demonstration at Ledbury; whether the above-named band is the band of a Volunteer regiment; and, whether he will take any action in the matter?

THE SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): The band of the 1st Gloucestershire Engineer Volunteers accepted an engagement to play at a *fête* at Ledbury under the impression that the *fête* was not political. On learning that the contrary was the case, the engagement was cancelled.

LABOUR STATISTICS.

MR. BRADLAUGH: I beg to ask the President of the Board of Trade whether he can state the cause of the delay in the issue of the further Returns promised by the Labour Statistics Department; and, whether he can state if any additional information has been collected this Session, and when such information will be published?

SIR M. HICKS BEACH: A part of the census of wages (a most important part) is now in the hands of the printers. A Return as to the cost of living is also in proof. The Report as to strikes for 1888 and the Annual Report as to Trades Unions are also with the printers. These four papers will be issued very shortly. The other parts of the programme in the Memorandum No. 433 of Session 1888 will be carried out. There has been unavoidable delay with some of these papers owing to the great novelty of the work, as explained in the Memorandum referred to, but they are being pressed forward as rapidly as possible with the staff at the disposal of the Department.

THE *BLENHEIM*.

MR. BRADLAUGH: I beg to ask the First Lord of the Admiralty whether any shipbuilding contracts with the Admiralty are now being carried out by the Thames Ship Building and Iron Works Company; whether he is aware that, in consequence of certain trade differences, a considerable number of unskilled workmen are now employed as rivetters in such works, and that some of the bolts are very imperfectly rivetted; and, whether efficient inspection is practised, to prevent such rivetting from being passed?

*LORD G. HAMILTON: The *Blenheim* is being built by the Thames Shipbuilding Company. The Admiralty are aware that certain difficulties have arisen with the workmen, but they are not aware that any unskilled workmen are employed on skilled work, or that any work has been done imperfectly. There is efficient inspection, and there is no risk of imperfect work being passed even if—which is unlikely from the reputation of the firm—such an attempt was made.

MARITIME INTERNATIONAL CONFERENCE.

MR. GOURLEY: I beg to ask the President of the Board of Trade how many delegates he intends sending to the Maritime International Conference, which is to be held at Washington in the autumn; and whether he can place before the House a programme of the questions likely to be discussed?

*SIR M. HICKS BEACH: No answer has yet been received from the United

States Government to our proposals as to the conditions to which the Conference should be subject, and until this is received it is not possible to make any statement with regard to it.

IRELAND—CASE OF DR. TANNER.

MR. MATTHEW KENNY (Tyrone, Mid.): I beg to ask the Solicitor General for Ireland if there is any precedent, since the passing of the Act 14 and 15 Vic. c. 93, for Magistrates at Petty Sessions in Ireland requiring a person adjudged by them guilty of a contempt of Court to find sureties for good behaviour?

*THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): Perhaps I may be allowed at the same time to reply to the question of the right hon. Gentleman the Lord Mayor of Dublin—namely:—

"Whether it was for 'contempt of Court' in language used by him in addressing the Court upon a charge against himself that Dr. Tanner, M.P., was ordered by two stipendiaries at Tipperary on Monday last to find bail or to undergo imprisonment for three months; and whether it was within the legal competency of the justices to deal with 'contempt of Court' otherwise than by a sentence of imprisonment for a period not exceeding one week."

It appears that the hon. Member referred to in these questions was not adjudged by the Magistrates to be guilty of a contempt of Court. The conduct in respect of which the hon. Member was ordered to find bail to be of good behaviour took place in open Court, but the Magistrates acted under their jurisdiction in holding the Commission of the Peace, and not under the statutable authority referred to in the question of the hon. Member for South Cork. The hon. Member was not sentenced by the Court to any punishment for contempt of Court, nor need he undergo any punishment at all provided he gives the required securities to be of good behaviour.

MR. MAC NEILL: Does not the Petty Sessions Act prescribe that the punishment for contempt of Court shall be seven days' imprisonment, and no more?

*MR. MADDEN: The Magistrates did not in this instance exercise the statutory jurisdiction at all.

MR. W. O'BRIEN (Cork County, N.E.): May I ask whether the offence for which Dr. Tanner has been sentenced is not that of making a speech in his own defence, his counsel having been thrust out of Court by the Magistrates?

*MR. MADDEN: It was in the course of making a speech that the insult was offered to the Magistrates composing the Court.

MR. W. O'BRIEN: Are we to understand that in Ireland in future, if a Magistrate chooses to put an accused person's counsel out of Court, and the accused afterwards in any way offends the Magistrate's canons of manners, the presiding Magistrate is to send him to prison for three months?

MR. SEXTON (Belfast, W.): Was or was not the offence contempt of Court, and, if it was, were the Magistrates justified in going outside the statute, which prescribes that a person committing contempt may be fined or imprisoned for a period of seven days only?

*MR. MADDEN: The right hon. Gentleman has brought the matter to a very narrow issue. The statute provides a certain punishment for contempt of Court. It is competent for the Magistrates to order a person guilty of certain conduct to find sureties for his good behaviour, and the question is whether this jurisdiction is ousted by the Statute in cases where the latter applies. The right hon. Gentleman raises the question whether the order in this case has been made legally or illegally—whether it was within or outside the jurisdiction of the Magistrates. As there are perfectly understood means by which such a question can be raised, it would not be proper for me to express an opinion on the legal point.

MR. H. H. FOWLER (Wolverhampton, E.): Is there any precedent in the Superior Courts of England, Ireland, or Scotland where a Judge in a Superior Court, having been insulted in his Court, has dealt with such a case, not as one of contempt of Court, but has called on the offending person to find bail, and in default has sent him to prison?

*MR. MADDEN: There is the highest authority for saying that insulting or contemptuous language spoken of Judges or Magistrates is a proper matter for the exercise of the jurisdiction of the Magistrates under the Statute referred to; but whether, where there is statutable jurisdiction for dealing

with contempt of Court, it is co-extensive with the general jurisdiction to which I have referred, I must decline to discuss, as that is a question which must be decided by proper legal authority.

MR. SEXTON: In consequence of a telegram just received from Dr. Tanner as to the violence from which he has suffered I feel myself under the necessity of giving notice that at the end of the questions I will move the adjournment of the House.

SHIPBUILDING ON THE FOYLE.

MR. JUSTIN M'CARTHY: I beg to ask the First Lord of the Admiralty whether, having regard to the fact that, on his own statement in April, 1887, the ship yard on the Foyle at Derry City was duly certified and placed upon the Admiralty List, he will give directions that some of the contracts for the new shipbuilding undertaken by the Admiralty shall be offered to the Derry shipbuilding yard?

*LORD G. HAMILTON: The shipbuilding yard on the Foyle at Derry, though placed on the Admiralty List as eligible for certain classes of war ships, is not considered capable at present of constructing vessels of over 2,000 tons displacement under the conditions required by the Admiralty. The ships to be built under the new programme are either too large for the capabilities of the yard or of such a special character that they could only be intrusted to firms which have made vessels of the kind a speciality.

LOCAL GOVERNMENT (SCOTLAND) BILL—THE BURGH OF DYSART.

SIR GEORGE CAMPBELL: I beg to ask the Lord Advocate if he will issue a revised edition of the provisional proposals as to number of County Councillors in Scotland, so far as regards the County of Fife, and will assign a representation on the County Council to the burgh of Dysart, hitherto omitted, so as to relieve the uncertainty which still prevails in the locality?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I have sent to the hon. Gentleman a revised edition of the proposals, from which he will observe that Dysart is duly assigned a representative.

THE NAVAL REVIEW.

MR. HANBURY (Preston): I beg to ask the First Lord of the Admiralty whether, on the occasion of the coming inspection of the Fleet, when the Admiral and other officers in command are to be presented to the German Emperor on board the *Victoria and Albert*, any officers have been nominated to represent either the Royal Marine Artillery or the Royal Marine Light Infantry, 4,700 men of which corps are at present embarked in the Fleet; and, if not, whether this omission to recognise the senior officers of the Marine Force is due to an inadvertence?

*LORD G. HAMILTON: The only officers who are to be presented to the German Emperor, on the occasion of his visiting the Fleet at Spithead on August 3rd, are those in command of ships present, who are of the rank of commander and upwards. It is the tradition and the practice both in the Navy and the Army for the officer in command of a ship or of a land force to represent in his individual person all the component parts of the force under his command, and I see no reason for departing on the present occasion from this practice.

IRELAND—LOAN FUND BOARDS.

MR. O'DOHERTY (Donegal, N.): I beg to ask the Postmaster General whether it is a fact that printed notices of default by Loan Fund Boards in Ireland are charged as letters, and notices by Railway Companies advising goods as circulars, and what is the distinction between them; and, whether he can see his way to treat them alike in future?

*MR. RAIKES: The hon. Member has been good enough to send me copies of the documents referred to in his question, and having examined them, I have to state that they are both letters, and have no claim to be considered "circular" letters, as the particulars they contain must obviously vary from the particulars of other letters sent by the same persons for a similar purpose. They should, therefore, both alike have been charged at the letter rate.

THE CLANRICARDE ESTATE.

MR. SHAW LEFEVRE (Bradford, Central): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland

whether the Rev. P. Costelloe, the newly-appointed parish priest of Woodford, Galway, has recently addressed a letter to him, stating that he had recently been authorised by the tenants of the Clanricarde estate to offer to Lord Clanricarde, either to purchase their holdings on reasonable terms, or to refer the matters in dispute to arbitration, or to agree to reasonable terms, conditional upon the re-instalment of the seventy evicted tenants upon the same terms; and that Lord Clanricarde had refused the offer, and was making great preparations for the wholesale eviction of the tenants; whether Mr. Costelloe, under these circumstances, requested the Government to send down to the district an impartial Commissioner for the purpose of hearing both sides and presenting a Report on the whole case; and in the meantime to suspend supporting the evictions with the forces of the Crown; and, whether a refusal was made by the Government to this request; and, if so, whether he will lay upon the Table of the House the letter of Father Costelloe, and his reply to it, and also any correspondence which has passed between himself and Dr. Healy, the coadjutor Bishop of the Diocese, on the same subject, with reference to the pending evictions on the Portumna district of the Clanricarde property?

MR. A. J. BALFOUR: The right hon. Gentleman will not object to my saying, in accordance with an answer I previously gave on the subject of the last paragraph of the question, that I must with all respect decline to gratify his curiosity with regard to my private correspondence.

MR. SHAW LEFEVRE: Will the right hon. Gentleman answer the first part of the question, which has reference to correspondence not of a private nature?

MR. A. J. BALFOUR: The letter was addressed to me in my private capacity, and I decline to make it public.

MR. SHAW LEFEVRE: I understand that the letter was addressed to the right hon. Gentleman in his public capacity, and I should like to know whether a Minister can decline to publicly answer a letter written to him in his public capacity?

MR. A. J. BALFOUR: Yes, Sir; I have a right to answer privately any letter addressed to me in any way I like.

MR. SHAW LEFEVRE: I shall draw attention to the matter on the Estimates.

"BOARD OF TRADE JOURNAL."

MR. HOWARD VINCENT: I beg to ask the President of the Board of Trade if he can give the House any information concerning the advantage the manufacturers and merchants of the United Kingdom take of the *Board of Trade Journal* as a guide to the condition and requirements of British trade abroad; and, if there is any truth in the allegation that foreign competitors more largely utilise the valuable information furnished by Her Majesty's Diplomatic and Consular Officers than our own countrymen?

*SIR M. HICKS BEACH: The *Board of Trade Journal* is made use of by Chambers of Commerce, the Agents General for the Colonies, and other authorities, as well as by private merchants, who express themselves as greatly interested in the contents. There is no doubt business people profit by information of the kind which the Journal contains. The Press also make a large use of the information. The Board of Trade have not been informed that our foreign competitors more largely utilise the information than our own traders, and they do not believe it likely that this is the case, the information relating mainly to places where our own trade requires development, or to circumstances which our own traders have the best opportunity to take advantage of. The risk of foreign competitors utilising the information is, of course, no reason why our own traders should not have the advantage of it.

IRISH PRISONERS AND WHITEWASHED CELLS.

MR. MACNEILL: I eg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Mr. Conybeare, and other prisoners in Derry Gaol, complained on Saturday evening last that their eyes were weakened and influenced by the glare of the whitewash on the walls of their cells; and, whether, having regard to the cases of Messrs. Wilfred Blunt and Cox, M.P., whose sight has been impaired by imprisonment under similar circumstances,

he will be prepared to direct the cells of these prisoners to be covered with a wash of blue or pink instead of the ordinary whitewash ?

MR. A. J. BALFOUR: My attention has not been called to the article in question, which does not seem very relevant to the question on the Paper. The General Prisons Board inform me that the Governor of Londonderry Prison has reported that it is not the case that Mr. Conybeare or any other prisoner had complained, as alleged in the first paragraph of the question; and as the hon. Member has been already informed, in reply to questions put by him on July 19, there is no evidence that either the sight of Mr. Blunt or of Mr. COX, M.P., was impaired by imprisonment, nor do the Prisons Board see any necessity to alter the existing arrangements in regard to the colouring of the walls.

MR. COX: I do not wish to trouble the House with my own grievances and infirmities, but does the right hon. Gentleman know that I was conveyed from Dundalk Gaol to Kilmainham Gaol at the order of the Prisons Board ?

MR. A. J. BALFOUR: I shall be glad to answer any specific question put to me if the hon. Member will put it on the Paper; but the Prisons Board declare that there is no evidence that the sight of the hon. Member was impaired by his imprisonment.

MR. MACNEILL: Does not the right hon. Gentleman know that Mr. Blunt, in my presence and in the presence of the right hon. Gentleman the Member for Bradford (Mr. Shaw Lefevre), swore that his eyesight was injured, and the Attorney-General, who was prosecuting, laughed, though he apologised for so doing ?

MR. GILL: Is the right hon. Gentleman aware that Mr. Powell, who is now being prosecuted, has practically lost the sight of one eye owing to two imprisonments ?

MR. A. J. BALFOUR: On the general question, I can only say that I can hardly believe that the eyesight of hon. Gentlemen in prison under the Criminal Law and Procedure Act is more delicate than that of persons imprisoned under other Acts; and, as I have not heard of complaints in the latter class of cases, I hope there is no ground for the fears of hon. Gentlemen.

FORAGE RATIONS OF OFFICERS' HORSES.

MR. HANBURY: I beg to ask the Secretary of State for War whether he has yet come to a decision upon the question of the right of the War Office to reduce the forage rations of officers' horses; and whether it is contended that the power to alter or vary the rations by the substitution of equivalents also includes a right to reduce it altogether ?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I hold it to be quite within my power to make an experiment in the reduction of the ration, which is not a personal emolument of the officer's; but if any permanent alterations are deemed necessary a new warrant would certainly be issued.

MAILS TO CHINA VIA CANADA.

SIR GEORGE BADEN-POWELL (Liverpool, Kirkdale): I beg to ask the Secretary to the Treasury whether he can now say when the new contract for the conveyance of mails between England and China viâ Canada can be printed and circulated for the information of the House; and when it is likely to be brought before the House ?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I hope the contract and Treasury Minute will be circulated to-morrow.

SIR GEORGE BADEN-POWELL: I beg to ask the Under Secretary of State for the Colonies whether he is aware that, in regard to the new contract for the conveyance of mails between England and Canada and China, Messrs. Allan have publicly declared that now they are released from mail duties they will be able to improve their service viâ Londonderry to Canada; whether the Dominion, Beaver, and other regular lines will continue to run as before unaffected by the new arrangements; whether the contractors for the new service, in their own interests, make special provision for Irish mails and passengers; and whether the new service will compete directly, not with any existing British lines, but with the subsidised French and German lines carrying the existing Continental trade, and especially the French line now running to Canada which is subsidised by the Canadian Government ?

BARON H. DE WORMS: In answer to my hon. Friend I have to say that the Secretary of State has not a copy of the contract, and has no official knowledge of these details. He has no reason to doubt the accuracy of the facts stated by my hon. Friend; but the subject is one for the Dominion Government to deal with.

THE *MEDEA* AND THE *VICTORIA*.

MR. HANBURY: I beg to ask the First Lord of the Admiralty whether it is the fact that the *Medea*, designed to make 19¾ knots, did not succeed in making more than 16 on her recent experimental cruise to Gibraltar and back, and whether, after cruising even at that speed, her boilers must be retubed throughout; and when were the two 110-ton guns of the *Victoria* tested, or has neither of them been tested yet?

*LORD G. HAMILTON: The *Medea* was designed to make about 20 knots on the measured mile and with forced draught, and this was accomplished by her sister ship, the *Medusa*. In her experimental cruise, subsequent to the forced draught trials, the *Medea* did not make more than 16 knots in a sea-way, with natural draught, and the tubes of the boilers leaked considerably from the results of the forced draught trials. The boilers will not require re-tubing. The Admiralty are carefully watching the trials of these and similar ships, as the problem to be solved is to test the power of the engines to develop the horse power contracted for under forced draught without injuring the boilers by the test applied. One of the 110-ton guns on board the *Victoria* has been tested, but the second gun has not been accepted, and is about to be returned.

GOVERNMENT DEPARTMENTS (TRANSFER OF POWERS) BILL.

MR. ROWNTREE (Scarborough): I beg to ask the President of the Local Government Board if he can state what course it is proposed to take with regard to the matters dealt with by the Government Departments (Transfer of Powers) Provisional Order Bill in the next Session?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): As the hon. Gentleman knows, after the Report of the Select Committee the Bill was deferred because it was manifestly impossible for the Government to proceed with the measure this Session. I am not at present prepared to state what course the Government will take next Session.

MR. T. E. ELLIS (Merionethshire): When will the evidence taken by the Committee be published?

*MR. RITCHIE: I have not the smallest idea. It is a matter with which I have no concern whatever.

POLITICAL PLACARDS IN POST OFFICES.

MR. LABOUCHERE (Northampton): I beg to ask the Postmaster General whether he is aware that a printed placard, announcing that a Primrose and Conservative demonstration will take place at Husbands Bosworth on 8th August, at which there there will be addresses from two Conservative Members of this House, dancing, a dinner, a donkey race, and other similar amusements, is exhibited in a prominent position in the post office at Market Harborough; and whether he will issue orders forbidding such placards to be exhibited in post offices in future, and will see that this particular placard is forthwith taken down?

*MR. RAIKES: I have given directions that the placard in question, if exhibited in the Market Harborough post office, is to be taken down at once, and a notice will be issued forbidding the exhibition of such notices in post offices.

ARMY AND NAVY ADMINISTRATION.

SIR WALTER BARTTELOT (Sussex, N.W.): I beg to ask the First Lord of the Treasury if he is able to give the House any information as to the progress made by the Royal Commission on the Administration of the Army and Navy in the consideration of the important questions referred to them?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The Royal Commission has agreed upon a preliminary Report on part of the subjects submitted for their consideration; but, inasmuch as this Report deals with matters of the highest importance and calls for the most careful consideration of the Government, I am unable at this late period of the Session

to hold out any hopes of being able to make any communication on the subject to the House this Session. During the autumn the Commissioners hope that they will be able to conclude their final Report.

TITHE RENT-CHARGE RECOVERY BILL.

MR. DILLWYN (Swansea): I beg to ask the First Lord of the Treasury whether, in view of the late period of the Session, and of the great opposition to the Tithe Rent-Charge Recovery Bill which exists in many sections of the House, it is still his intention to press that measure this Session, notwithstanding that his doing so must necessitate its being passed either without due consideration of its provisions, or else by the considerable prolongation of the Session?

MR. S. LEIGHTON: Before the right hon. Gentleman answers the question, I should like to ask him whether his attention has been called to the following statement of Mr. Justice Field, made in his charge to the Grand Jury at Chester last week:—

"It was a disgrace that such things as the late tithe riots should take place in this country; and those who put in motion the mass of the people and who urged them on, directly or indirectly, had a terrible account to answer for. There was no doubt that the public mind had been agitated and roused to an extent hardly credible if it were not known as a fact."

MR. G. O. MORGAN (Denbighshire): I should like to ask whether the Bill of the Government would prevent the tithe riots?

*MR. W. H. SMITH: I have not seen the report of the charge, and it would ill become me to express an opinion on the learned Judge's utterances in the position which he occupies. But I wish to say that we do hope that this measure, small as far as its dimensions are concerned, will go very far indeed to remove the opportunity for these lawless displays which have occurred to the great pain of many hon. Gentlemen on both sides of the House. It is hoped that the Government will be able to pass the measure during the course of the Session. The Bill itself is confined within small limits, but it will tend very much indeed to the due regard of order.

*MR. H. GARDNER (Essex, Saffron Walden): May I ask whether, having regard to the great number of hon. Members for Wales and for English agricultural constituencies who are interested in this Bill, and in consideration of the undoubtedly protracted discussion which the Bill must lead to, the Government can see their way to allowing the discussion, when it is once opened, to be taken *de die in diem*?

*MR. W. H. SMITH: I will certainly endeavour to do that.

MR. G. O. MORGAN: Will the Bill be put down as the first Order of the Day?

*MR. W. H. SMITH: The right hon. Gentleman must have sufficient experience of Parliamentary matters to know that it is impossible to answer that question definitely.

MR. H. GARDNER: Will the right hon. Gentleman consider the desirability of an autumn Session?

[No answer was returned].

SCOTLAND AND THE ASHBOURNE ACT.

MR. ESSLEMONT (Aberdeen, E.): I beg to ask the First Lord of the Treasury whether Her Majesty's Government has received several communications and memorials from Aberdeenshire and elsewhere, asking that the Ashbourne Act may be extended to Scotland: and whether Her Majesty's Government are or are not favourably disposed to consider the request before the meeting of Parliament next Session?

*MR. W. H. SMITH: Naturally I made inquiry for the memorials to which the hon. Member refers at the Scotch Office. Nothing is known at the Scotch Office of these memorials and communications, and, as far as I know, the Government have not received any.

PUBLIC BUSINESS.

MR. J. E. ELLIS: I beg to ask the First Lord of the Treasury whether, in view of the period of the Session, the general desire that it should not be much further prolonged, and the inadvisability of legislation involving controverted principles without reasonable opportunity for discussion, he can now state definitely what Government Bills will be persevered with?

*MR. W. H. SMITH: I think the hon. Member will admit that the Government have been most anxious to avoid bringing before the House at this period of the Session strongly

opposed Bills. As far as I am aware the only Government Bill which involves serious controversy is the Tithe-Rent Charge Recovery Bill, and I am hoping that we shall be able to conclude the Session without any undue delay.

MR. J. MORLEY (Newcastle-on-Tyne): May I ask whether the Government are likely to allow facilities for a discussion of the Irish Sunday Closing Bill?

*MR. W. H. SMITH: The Government are most anxious that an opportunity should be found for discussing that question.

MR. H. H. FOWLER: Considering the number of Votes still remaining to be taken, will the Government proceed with Supply *de die in diem?*

*MR. W. H. SMITH: I hope that Supply may be reached this evening so as to make effective progress, and also to-morrow. The Education Estimates in Class 4 will be taken on Monday, and I hope that they will be disposed of on that evening. On Tuesday the Irish Constabulary vote will be taken, and the House will proceed with the consideration of Irish Estimates during the remainder of the week.

MR. CAUSTON (Southwark, W.): Are we to understand that the Merchant Shipping (Pilotage) Bill will not be taken until after next week?

*MR. W. H. SMITH: I believe that the Merchant Shipping (Pilotage) Bill is generally accepted by the House, but I will not say whether or not it will be taken to-day or to-morrow. I do not wish to go beyond Thursday of next week in allocating business. After the Education Estimates on Monday and the Irish Constabulary Vote on Tuesday, I do not desire to say at present what business will be taken until the Government have seen what progress has been made.

MR. STOREY: Does the Chief Secretary propose to take the Bann Drainage Bill to-morrow?

MR. A. J. BALFOUR: No, Sir.

MR. H. GARDNER: I wish to know whether the Government can give hon. Members interested three or four days' notice before the Tithes Bill is taken.

*MR. W. H. SMITH; The Government will give all the notice they can. Hon. Members will have ample notice.

ADMISSION OF STRANGERS TO THE HOUSE.

MR. HENRY H. FOWLER: I beg to ask the First Lord of the Treasury whether it is proposed to make any alteration in the regulations now in force for the admission of strangers to the House?

*MR. W. H. SMITH: The Government have been considering this question. They are sensible of the fact that the existing regulations for the admission of strangers are not wholly satisfactory to hon. Gentlemen. But although a Committee sat and reported on this question last year, the Report of that Committee has not met with that amount of general agreement on the part of the House which would justify the Government in asking the House to act upon it. Attention will be given to the subject during the recess, and the Government hope to make in the early days of next Session, either by the appointment of a Committee or by technical proposals of their own, regulations under which strangers will be admitted.

SEAFIELD FISHING HARBOUR.

MR. JORDAN (Clare, W.): I beg to ask the Secretary to the Treasury whether, in pursuance of a promise in a letter from the Treasury of the 1st January, 1889, in reply to a memorial of the 13th December, 1888, anything has yet been done to improve the fishing harbour of Seafield, Miltown Malbay, County Clare; and, if so, what?

MR. JACKSON: Sir, there is, I think, some misapprehension, as I cannot find that the Treasury made any promise to improve the harbour at Seafield. The Treasury letter stated only that the claims of Seafield would be considered with those of other places in the allocation if any surplus from the Fishery Piers Fund. There is no surplus yet available, and, therefore, the numerous applications which have been received could hardly usefully be considered at present.

BOYCOTTING IN WEXFORD.

MR. WILLIAM REDMOND (Fermanagh, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will state the grounds upon which a Secret Inquiry

Court has been instituted at Gorey; and, whether the County of Wexford is quite free from anything like serious crime?

MR. A. J. BALFOUR: An inquiry under Section 1 of the Criminal Law and Procedure (Ireland) Act was ordered at Gorey upon sworn informations that a conspiracy to boycott and intimidate existed in that district. This class of crime has, it appears, recently existed to a very great extent in different districts in the County of Wexford.

MR. WILLIAM REDMOND: May I ask the right hon. Gentleman whether it is true that the three men, Millan, Doyle, and Kavanagh, charged at Gorey with endeavouring to prevent people buying pigs from the Earl of Courtown, were confined in a small and dirty police cell for a considerable time, as bail was refused till next day; and, whether the Government intend to prosecute these men on any other charge than that connected with Lord Courtown's pigs?

MR. A. J. BALFOUR: I understand that it was not practicable to send these men to the county gaol, and they were detained in the police lock-up. Bail was not refused, nor was it offered. The men were released on bail on the following day.

MR. W. REDMOND: Is it calculated to promote law and order in Ireland that respectable men should be prosecuted simply because they refuse to buy Lord Courtown's jugs?

*MR. SPEAKER: Order, order!

WESTERN AUSTRALIA CONSTITUTION BILL.

MR. W. REDMOND: I beg to ask the First Lord of the Treasury whether, in view of the strong expression of opinion of the Australian Governments in favour of conferring Home Rule on Western Australia, the Government intend to proceed this year if possible with the Bill dealing with the constitution of Western Australia?

*MR. W. H. SMITH: The Government propose to ask the House to affirm the principle of giving responsible Government to Western Australia by reading the Bill a second time. But, having regard to the details of the measure and the necessity for examination, they propose not to proceed further with the Bill this Session. If necessary they propose to inquire into the subject early next Session.

MR. W. REDMOND: Have not strong representations been received from several of the Australian Governments in favour of the passage of the Bill?

*MR. W. H. SMITH: There can be no doubt that such representations have been made. It is fair, however, to say that a strong opinion has been expressed in this country as to the details of the measure, and the Government do not think it right, in these circumstances, to force the Measure through at this period of the Session, and, therefore, they will allow time for further consideration.

MR. W. A. McARTHUR (Cornwall, Mid, St. Austell): May I ask whether, having regard to the almost unanimous opinion in favour of this Measure, the right hon. Gentleman can give the Colonies an assurance that the Bill will be brought in early next Session, and that the Government will make a serious attempt to carry it?

*MR. W. H. SMITH: I think the hon. Member will see that it would be very unwise for me to make any serious engagement as to next Session. The Government desire to give effect to the principle of the Bill at the earliest possible moment.

MR. CHILDERS (Edinburgh, S.): Will the Government consider the propriety of appointing a Special Commissioner to proceed to Western Australia with the object of making inquiries on the spot, because the question is to a very large extent a local one?

*MR. W. H. SMITH: A suggestion of that kind is so important and so grave that I am unable to return an immediate answer to it. It will, however, receive the consideration of the Government.

MR. W. REDMOND: Are we to understand that the Government will not in the face of the representations from the Australian Governments introduce their Bill early next year?

*MR. W. H. SMITH: No, Sir; that would be an entirely inaccurate representation of the answer I have given.

ORDER OF BUSINESS—SUPPLY, &c.

SIR G. CAMPBELL (Kirkcaldy): Do the Government propose to take the Orders of the Day in the order in which they appear on the Paper? Will they

take the Bills which stand before Supply before Supply?

*MR. W. H. SMITH: The hon. Gentleman has been long enough in the House to know that we must take the Bills which stand before Supply before Supply.

SIR G. CAMPBELL: But do the Government propose to go on with Supply instead of dropping it and passing to the other Orders?

*MR. W. H. SMITH: I have stated repeatedly that our proposal is to advance legislative business as rapidly as we can, and then to take Supply.

MR. CAUSTON: Will the right hon. Gentleman say that the Merchant Shipping (Pilotage) Bill will not be taken either to-day or to-morrow?

*MR. W. H. SMITH: No, Sir.

SIR G. CAMPBELL: I think I am entitled to ask whether the Bills which stand after Supply will not be taken until after Supply?

*MR. W. H. SMITH: Certainly, Sir, The Bills which stand after Supply will not be taken till after Supply.

WHIPPING A JUVENILE OFFENDER.

MR. BRADLAUGH: I beg to ask the Lord Advocate whether he is aware that, on Thursday last at Edinburgh City Police Court, a boy named Fair was charged with stealing, and Fair's mother, having promised to chastise her son, Sheriff Orphoot allowed the charge to be withdrawn, saying that he would order a constable to attend at the boy's dwelling in order to see the corporal punishment actually inflicted; and whether such employment of a constable is authorised by law?

*MR. J. P. B. ROBERTSON: The facts stated in the question are correct. The Sheriff was unwilling, owing to the youth of the boy, to follow the usual course of ordering him to be whipped in the police cells by a constable. He, therefore, agreed to the offer made by the boy's mother that she should chastise him, but, at the same time, deemed it necessary to send some one to make sure that the punishment was inflicted. He, therefore, sent one of the officers of Court, of whom four are constables; and it was in the capacity of officer of Court, and not as constable, that the man was employed.

PUBLIC PETITIONS COMMITTEE.

Sixteenth Report brought up, and read; to lie upon the Table, and to be printed.

PUBLIC INCOME AND EXPENDITURE.

Return ordered—

"Of Public Income and Expenditure for the year ending the 31st day of March, 1889 (in continuation of Parliamentary Paper No. 311, of Session 1888)."—(*Mr. Henry H. Fowler.*)

MOTION.

—o—

IRELAND—THE CASE OF DR. TANNER.

ADJOURNMENT OF THE HOUSE.

MR. SEXTON, Member for West Belfast, rose in his place, and asked leave to move the Adjournment of the House, for the purpose of discussing a definite matter of urgent public importance—namely, the maladministration of the Law, and misconduct and violence of the Irish Executive in the case of Dr. Tanner, a Member of the House connected with the recent trial; but the pleasure of the House not having been signified, Mr. Speaker called on those Members who supported the Motion to rise in their places, and not less than 40 Members having accordingly risen in their places—

MR. SEXTON: Sir, I hope to state very briefly the facts which appear to me to make it my imperative duty to ask the immediate judgment of the House upon the treatment of Dr. Tanner by the Irish Executive. Sir, in the notice which I have placed in your hands, I refer to the fact that Dr. Tanner is a Member of this House. I have done so advisedly, because I believe it is in consequence of the fact that Dr. Tanner is a Member of this House, and because of his action in that capacity, that he has been singled out by certain obscure and vindictive Irish officials, confident of impunity, for persecution and for insult. The House is aware that Dr. Tanner has recently completed a sentence of three months' imprisonment for a speech delivered at a Cork meeting, and in virtue of a sentence inflicted on him by a Coercion Court. While suffering that term the fresh charge was brought against him of having assaulted an officer of police—an assault which, whatever its character, was not an assault of violence, or one that ought to have been

brought under the Crimes Act before a Coercion Court. My hon. Friend, however, was brought before two "removable" gentlemen, the paid servants of the Executive, one of them a near relative of a well-known Irish Conservative landlord and politician, and the other a gentleman who has qualified in India for service as a Magistrate in Ireland. Mr. Healy, the Member for North Longford, was counsel for Dr. Tanner on that occasion. However hon. Members may differ from Mr. Healy, they will admit that he invariably acts from a high sense of public duty. At the hearing Mr. Healy seems to have made some observations against these two Magistrates, who seem to be somewhat peppery gentlemen, and they felt it to be their duty to take notice of them by removing him from the Court by force. Dr. Tanner was thus deprived of the services of his counsel. The case was adjourned from time to time—I can suppose for no other reason than that the sentence for the assault should not run concurrently with the other—and eventually Dr. Tanner's imprisonment for the speech expired. He had no sooner returned to his duties in this House than he received two urgent telegrams from the Crown Solicitor (Mr. George Bolton), who, having been relieved of his prolonged functions in regard to Mr. Soames, was at leisure to devote himself to the case of Dr. Tanner. The telegrams called upon my hon. Friend to appear in the Court at Tipperary. My hon. Friend, being without the assistance of counsel or solicitor, delivered a speech to the Court in his own defence, in which, in regard to the charge itself—an assault of a very objectionable kind—he declared the charge to be mean, infamous, and a lie. He said that the mere fact of being brought into Court upon such a charge gave him more moral torture than a sentence of 20 years' imprisonment. [*A laugh.*] I expected that sneer from the hon. and gallant Member for North Armagh (Colonel Saunderson)—it was characteristic of him; but I would appeal to the House whether Dr. Tanner is not one of the last men, in the House or out of it, to deny upon any occasion any word he has uttered or any act he has done? ["Hear, hear," from Colonel SAUNDERSON.] I thank the hon. and gallant Member for that assent. Dr. Tanner, therefore, would never have declared this charge against him to be mean, infamous, and a lie if he had conceived there was any foundation for it. The Court, the moral competence of which to try the hon. Member I deny, nevertheless convicted him and sentenced him to a month's imprisonment with hard labour. That was a vindictive and cowardly sentence. Three times Dr. Tanner asked for such a sentence as would allow him to appeal, and three times he was refused. The Magistrates persisted in imposing a sentence which would permit of no appeal, and then added to it the indignity and torture of hard labour. It is high time for this House to intervene between the obscure kind of official subordinates in Ireland and the Irish Representatives in this House. All the time these Magistrates had another sentence up their sleeve. Dr. Tanner felt himself debarred, from a feeling of self-respect, from calling evidence in his behalf, and contented himself with denying the charge of assault, and I respectfully ask the House whether these two magisterial functionaries, if they had been inspired by a single spark of true magisterial spirit, would not have felt themselves under an obligation to allow a man whom they had deprived of his counsel and solicitor to appeal to another Court? Why is it that these servile agents of the Government should be afraid of the County Court Judge of Tipperary? Is he a gentleman they could not trust? At any rate, the appeal was refused, although imprisonment with hard labour had been inflicted on a Member of Parliament. I challenge contradiction when I say that to refuse Dr. Tanner an opportunity of bringing the case before a higher tribunal was a magisterial denial of justice. Repeated instances have been brought before me in recent days to show the growing and passionate hatred which many of these functionaries feel towards Members of this House in consequence of our action here. Let me remind the House of the fact that when the Crimes Act was being passed the Chief Secretary stated that there would be an appeal from the Magistrates in every case in which it was desired. Even if there had not been such a statement made, if it were not the well-known general intention of the law, I ask was this not

signally and exceptionally a case in which the defendant, having been debarred from offering his defence before the Magistrates, ought to have had an opportunity of presenting his defence to an independent member of the judiciary? Dr. Tanner made a speech in his own defence, in which he expressed his convictions with regard to the Court with energy and without reserve. Perhaps the most frank course to pursue would be to read the speech of the hon. Member. Dr. Tanner said:—

"He would not insult any gentleman by asking him to come forward on the Table to give evidence for the defence. But the people of Tipperary knew him, the people of the country knew him. The present case had been known in England, had been talked of in the House of Commons. His character as a gentleman had been sought to be injured. Now, putting aside all heat, putting aside all bitterness, he asked in the judgment of all honest, fair-minded men, was the present case brought forward in a fair way? First of all, he impugned the jurisdiction of the Court altogether, and when he consented to employ a counsel or a solicitor he did so against his own wishes, and because he did not wish that other men, his poorer friends, would be deprived of that assistance to which they are entitled. In the hearts and minds of the Magistrates on the Bench they knew what he and others were tried for—for adherence to the cause of the country—for standing by the oppressed and the persecuted; for sustaining the poor and the weak."

Then he went on to say:—

"We seek liberty, and we are determined to have it. We are prouder of the gaol in the struggle in which we are engaged than the toga of distinction and prominence and place and all the power that a Government — the present Government—can bestow. He was brought before the Court on a charge that put him to more pain and torture than if he were sent to prison for twenty years. The charge was mean, infamous, and a lie."

Dr. Tanner concluded:—

"You deprived me of the assistance of my counsel, and if I were a free man I should impeach your conduct before the House of Commons. I would put you on your trial before the whole country, and would confidently look to their verdict on your conduct. Do not think for a moment that I submit to your Court. I have nothing to fear. I feel for you. I pity you —for the position you are forced into. It is humiliating, but it is the effect of the British administration in the land which we intend to rule. This prosecution has been gone into because I am an Irish patriot Protestant, and it has been sought to defame and traduce me. Pass your sentence, I defy you. I defy the Government which seeks to rob the people—to help the strong against the weak, and to oppress the suffering."

[Mr. WINTERBOTHAM: Is that all?] I am not surprised at the question. That was the speech delivered in Court by my hon. Friend, and I ask hon. Members whether, considering that this Gentleman laboured under a keen and exasperated sense of wrong, there was anything extraordinary in the use of that language? The Magistrates did not act with precipitancy. The Magistrates retired and deliberated for 20 minutes. At the end of 20 minutes they came into Court, and the Chairman, having first delivered their sentence on the charge of assault, went on to say that Dr. Tanner was to find bail for £200 for his good behaviour, or go to prison for three months. When they made that order, the Magistrates well knew that Dr. Tanner would refuse to find bail. What was the offence committed? A little while ago I asked a clear question on that point, and I now press for a specific answer. Was the offence that of contempt of Court or not? I find the offence described in the letter addressed by the Magistrates to Mr. Speaker, and read to the House yesterday. It is that "C. K. Tanner had outrageously misbehaved, and wilfully insulted the Magistrates." I turn to the Act which regulates the proceedings in Petty and Quarter Sessions, and I find it enacts that if any person wilfully insults—the very language used in describing the charge—any Justice or Justices sitting in any Court, or shall commit any other contempt of Court, it shall be lawful for the Justice or Justices to direct such person to be removed or taken into custody, and, at any time before the rising of the Court, by warrant to commit such person to gaol for any period not exceeding seven days, or to fine such person any sum not exceeding 40s. There is not the remotest reference or hint to any other jurisdiction. The Solicitor General for Ireland suggested that there was an alternative jurisdiction; but I challenge him to cite a case, since the passing of that Act, in which the members of a Court of Justice showed by action or argument that they had any other jurisdiction except under the Act. The charge must have been one of contempt of Court. If it had been anything else, it would have been necessary that it should have been brought before the Court and evidence given upon it. The language of the

clause I have cited is clear, and the Magistrates were bound to take one of two courses—either to impose a fine or to commit to prison for some period not exceeding seven days. The argument that the Magistrates were entitled to fall back on some general jurisdiction and inflict the punishment of imprisonment for three months is untenable and absurd. As to the sentence of a month's imprisonment with hard labour for the assault, I believe that if I had the opportunity of consulting my hon. Friend (Dr. Tanner) he would not allow me to suggest that it should be modified. I therefore simply denounce that sentence as a vindictive and cowardly outrage. But with regard to the sentence for contempt of Court, I do ask that the Government should use their power and act on their duty to cancel that sentence, and to inform these blundering subordinates of theirs that they are bound to keep within the law. Then, again, why was the prison van used for Dr. Tanner alone? The prison van at Clonmel has been almost as long unused as some of the relics in the Tower of London. It is not even used for convicts. It was used for Dr. Tanner only. The officer of police whom Dr. Tanner was alleged to have assaulted was the officer in command of the police at this very place. This man had had his revenge through the law, but he was allowed to have a further revenge. He was the person who requisitioned the prison van. When I brought this question forward a little while ago, the Chief Secretary scarcely ventured to defend what has been done, but suggested that two other Members of Parliament had refused to enter an open break. I am informed the right hon. Gentleman is wrong in respect to one of them; but, whether he is right or wrong, is that any person for inflicting degradation and insult on Dr. Tanner? I contend that the persons who brought the prison van to the Court did so because they knew that Dr. Tanner would refuse to enter it, because he had done so before. I submit that the authorities have been guilty of an act of mean and cruel tyranny. When Dr. Tanner refused to enter the van he was thrown upon the floor with force and violence, and the telegram to which I referred at the opening of the Debate I received from Mrs. Tanner. I have to-day received this telegram:—

"Dr. Tanner is suffering from the effects of a fall from the car in which he was being conveyed to the Court House on Monday, and by which his arm was bruised. He has since suffered from sleeplessness, and altogether his system has received a severe shock."

That is, I think, an appeal which ought to command the sympathy of hon. Members without distinction of Party. It is one which it is impossible for the Government and for hon. Members opposite to resist, and which, I think, amply justifies the Motion which I am about to make. I think that I have proved the case I have laid before the House—namely, that Dr. Tanner has been subjected to unnecessary and wanton violence, that the first sentence passed on him was vindictive and cowardly, and that the sentence which has been passed upon him of three months' imprisonment for an alleged contempt of Court is manifestly illegal. I regret the absence on this occasion of the noble Lord the Member for Paddington, who has recently described the policy of the Irish police as a policy of exasperation. I am sure many hon. Members share the feelings which prompted that speech, and I hope they will remember that every day brings us nearer to the time when the judgment of the nation will be asked on this excess of tyranny, persecution, and insult. I hope that hon. Members opposite will acquit themselves of all share in this cruel and unmanly violence which has been used towards Dr. Tanner, and of this lawlessness on the part of the servants of the law in Ireland, who now shelter themselves under the shield of the law. I beg to move the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Sexton.*)

The Chairman of Ways and Means, at the request of Mr. Speaker, took the Chair as Deputy Speaker, in pursuance of Standing Order No. 1.

*THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I noticed in the speech of the right hon. Gentleman who has just just sat down that he did not for a a moment deny that if the hon. Member in question had been guilty of

the conduct which has been imputed to him he was guilty of a grave offence and ought to receive due punishment. I do not think that in the circumstances of the case, if the hon. Member was guilty of such a grave offence as that which is imputed to him, any one would be justified in asserting that he has been the object of a vindictive sentence. I come now to the circumstances to which the right hon. Gentleman called the attention of the House—namely, the circumstances under which the sentence was pronounced. I do not think hon. Members will deny that an assault of this nature upon a public officer in the discharge of his duty is a grave offence. It is said that Dr. Tanner was deprived of the assistance of his counsel; but, as a matter of fact, the hon. Member has been represented throughout the trial by his solicitor, who raised points of law in his favour. There was, moreover, no reason why the hon. Member should not at the adjournment have been represented by another counsel.

MR. SEXTON: At the opening of the proceedings his counsel retired, and I do not know that Dr. Tanner could have been represented by another counsel after his first counsel had been expelled the Court.

*MR. MADDEN: The expulsion of counsel had taken place long antecedently, and after that a solicitor appeared in Court on behalf of the hon. Member. It is said that the Court found Dr. Tanner guilty without hearing evidence on his behalf. What are the facts? What really occurred was this. The case was clearly proved by the evidence of the Inspector of Police and of the constables. A witness was called on the part of the hon. Member, and he admitted that the assault with which the hon. Member was charged might have been committed without his seeing it. Then the case was adjourned till the 26th July, and when the hearing was resumed the hon. Member deliberately declined to call any further evidence, on the ground that he would not subject his witnesses to the indignity of being examined before the Court. In these circumstances, the Court had no course open to them but to act on clear and unimpeached evidence, which was not broken down in cross-examination, and to convict the hon. Member. It ought not to be suggested for one moment, that because an accused person, even if he be a Member of Parliament, refuses to produce evidence on the ground that he would not subject his witnesses to the indignity of appearing before the Court, the Magistrates are not to act on the testimony before them. It appears to be assumed by hon. Members opposite that what occurred gave the hon. Member a right of appeal, although the law provides in the case of such a sentence no such right of appeal. It would be absurd to allow any person charged to obtain a right of appeal merely by refusing to call witnesses on his own behalf. The right hon. Gentleman has read from a report of what took place in Cork, but I will refer to a report in the *Times*, which supplies omissions in the account already read From that it appears that the Magistrates were of opinion that the action of the hon. Member amounted to an outrageous insult to the Court. The hon. Member said that the Magistrates who tried him had the sentence in their pockets, and he openly defied the Court to do their worst.

*Several hon. MEMBERS: Is that all?

MR. MADDEN: Hon. Members ask is that all? It is all, and I think it fully justifies the language used by the Magistrates. A question has been asked by the right hon. Gentleman as to what power Magistrates had for punishing misbehaviour in their presence. I will refer to the highest authority on the subject (Burn's *Justice of the Peace*), which lays it down that a man can be bound over to be of good behaviour for speaking words of contempt to inferior Magistrates, Justices of the Peace, or Mayors. To speak words of contempt to Magistrates, even though not engaged in the discharge of their duties, is good ground for causing a person to be bound over to be of good behaviour. Contemptuous language to those intrusted with the administration of justice being "a proper matter for taking sureties for good behaviour," the question then arises whether the discretion of the Magistrates was properly exercised in this case. The right hon. Gentleman relies on the Petty Sessions Act as showing that the Magistrates had no jurisdiction in this matter. That Act makes it lawful for Justices to commit persons to prison for

seven days for contempt of Court. It has been argued that that Act ousts the ordinary jurisdiction of the Magistrates to order persons misbehaving in their presence to find sureties to keep the peace. I do not intend to argue this question, because it is perfectly open to the hon. Member to go to the proper tribunal to have the question decided.

MR. SEXTON: And the hon. Member will remain in gaol all the time.

*MR. MADDEN: Yes, because the original sentence is unaffected by this question, but as regards the additional sentence its validity can readily be determined. The right hon. Gentleman says that the second sentence must have been for contempt of Court, because there was no formulated charge. That is not so, for Justices may exercise the jurisdiction of requiring sureties for good behaviour for what is done in their presence. By ordering the defendant to give sureties for good behaviour the Magistrates adopted a more lenient course than by imposing the statutory penalty. For if the hon. Member gives the required security, he need not go to gaol for a day. I repeat that if there is any desire to test the validity of the second sentence it is open to the hon. Member and his Friends to have the point decided by a competent Court having jurisdiction in the matter.

*MR. H. H. FOWLER (Wolverhampton, E.): There are in this case two distinct trials, two distinct convictions, and two distinct punishments. The Solicitor General for Ireland, with that ability with which we are so familiar, has very cleverly mixed up two things and has endeavoured to prejudice the consideration of one by a defence of the other. I, for one, hold that it is a very serious thing to send a Member of Parliament to prison; and the noble Lord the Member for Paddington, who is a marvellously acute observer of public opinion, has discovered, what the Chief Secretary has not yet discovered, that sending Members of Parliament to prison is not popular with the constituencies of the United Kingdom. When a Member sent to prison happens to be a prominent and, if you like, a disagreeable political opponent, whose absence from the House may be desired by many sections of it, it behoves the House to scrutinise such a case with the greatest jealousy and impartiality. We ought to regard the case of the hon. Member for Cork in the same light and deal with it on precisely the same principles as we should apply to the case of any Gentleman sitting on either Front Bench. The Solicitor General in dealing with the first sentence has objected to its being called vindictive; but it must be borne in mind that an offence against the Crimes Act, against the present administration of affairs in Ireland, had been already committed, and Dr. Tanner had been punished for it. The second offence, this alleged assault on the police, arose entirely out of the first offence and cannot be severed from it. The Solicitor General said it was an outrageous and disgraceful offence. The hon. Member for Cork agrees in that view, for he avers he would sooner have suffered a long term of imprisonment than have been so accused. It is to him torture to be charged with such a vulgar and disgraceful act. But, after all, this second offence was not in the nature of an outrage tending to a breach of the peace; it was not an assault in which a policeman's head had been broken open; still, it was a very offensive assault upon the police, and whoever committed it ought to have been punished. What we are complaining of is, not that the offence was too severely punished if it was committed, but that the hon. Member for Cork was deprived entirely of two safeguards to which every Englishman is entitled—I say Englishman, and expressly exclude Irishmen. An Englishman is entitled to be represented by counsel; and no English Judge, from the Lord Chief Justice downwards, would have excluded the hon. Member for Longford for what he said on that occasion. A Judge would have remonstrated and reproved, but he would not so far have forgotten his high station and what is proper to the administration of justice as to deprive a defendant of legal advice on account of an unseemly conflict between the Bench and the Bar. Thus, in the first place, the hon. Member was deprived of his right of legal advice. Secondly, Dr. Tanner was deprived of his right of appeal. The Solicitor General says that this was a proper case to be brought under the Crimes Act. Every case in Ireland is now considered to be so. I presume that if a man committed bigamy

they would try him under the Crimes Act for that offence. Listening to the Solicitor General, one would have thought that the offence of assault on the police was created by the Crimes Act, whereas it is one of the oldest offences known to the law and is punishable under statute. Why on earth, except in wanton disregard of the rights of the Irish people in the administration of justice, the law officers of the Crown should have sanctioned such an absurdity as a proceeding under the Crimes Act for an assault on a policeman in the discharge of his duty I am utterly unable to fathom. If proceedings are taken under the Crimes Act, then we must take the Crimes Act with all its concomitants. We must remember, and we shall never forget, that the Chief Secretary pledged himself over and over again that any one charged under the Act should have a right of appeal. This was a solemn pledge given on behalf of the Government by the Minister in charge of the Bill when it was under discussion in this House, and the right hon. Gentleman will be reminded over and over again of this breach of faith on his part. Perhaps it may be said that he did not mean that pledge to apply to little trumpery cases; but this not a trumpery case; it is the case of a Member of Parliament charged with a disgusting and improper offence, of which he maintains his innocence. Dr. Tanner thought—and I do not hesitate to say I think so too—that he could not have a fair trial before these two Magistrates. Dr. Tanner claimed a right of appeal, and they could have given him an appeal by sentencing him to 32 days' imprisonment; but they imprisoned him for only 31 days. The Solicitor General says the record of appeals was not encouraging. I do not think this appeal would have been heard in Donegal, where a Government pamphleteer has been rewarded by being made a County Court Judge; but this case raises only a question of fact, although the Solicitor General has accepted the finding of the Court on *ex parte* evidence when the counsel for the prisoner was excluded. My point is this: The sentence was vindictive because it was pronounced after an unfair trial, and because it was one day too short to entitle the prisoner to an appeal. I now come to the other part of the case—the observations indulged in by the hon. Member for Cork. I admit that the hon. Member indulged in some very free observations which were not very respectful to the Bench. I was not surprised when the Solicitor General read his version of what occurred that hon. Members exclaimed, "Is that all!" It seems extraordinary to have sent a man to prison for three months because he had violated the decencies of the Court by these exclamations. But after all what did Dr. Tanner say? He said he would not subject his witnesses to the indignity of appearing before the Court; and he was quite right. His counsel had been sent away, and he would have been a silly man if he had called his witnesses. Next he said that the Magistrates had got his sentence in their pockets. I will admit that that was a very rude remark; but I have no doubt what he meant was that they had made up their minds as to the sentence they would inflict. Prisoners sometimes say extraordinary things in England; but Judges do not send the offender to prison for three months for such language. A short time ago an amateur lawyer, promoted to judicial functions in Trinidad, sentenced a man to 31 lashes and penal servitude for life for attempting to assault him in Court; but the Colonial Secretary not only annulled the absurd sentence, but remitted a sentence of seven years' penal servitude, which the man richly deserved, for an offence he had committed, and warned the Judge that if such conduct were repeated he would be removed from his office. Then Dr. Tanner said "Do your worst; I defy you." For these foolish remarks Dr. Tanner was sent to prison for three calendar months. The hon. and learned Gentleman will no doubt tell us that Dr. Tanner would not have been sentenced if he had found sureties. Of course he would not find sureties; it would have been unworthy of him as a man to have done so. The Solicitor General has told us that there is a power some centuries old which enables Magistrates to require persons to find sureties if they have been guilty of outrageous conduct in Court. This is not quite so clear as the Solicitor General for Ireland thinks. I am not going to presume to argue a legal point with him, especially as that will come for judgment before the proper

tribunal; but I may remind him that a recent judgment of the Lord Chief Justice of England creates considerable doubt whether the law compelling a man to find sureties can be put in force except on the oath of somebody that he is in positive danger from the prisoner under the circumstances of the case. But I will not go into that. But this question has been before the Law Officers. My impression is that you have prisons in Ireland which you have not in England. Sir Frederick Pollock and Sir William Follett years ago, when Law Officers, advised that Justices of the Peace have no power to commit for contempt. After that opinion comes legislation, and what says legislation? It says, "And if any person shall wilfully insult any Justice," and this covers the case of the hon. Member for Mid Cork, for, put the highest construction you like upon his conduct, put every aggravation into his words, I say they amount to nothing more or less than wilful insult. It is not treason, it is not felony, it is not flat burglary, it is wilful insult he committed. I admit for the moment he is guilty of wilfully insulting the Court. What says legislation? "If any person shall wilfully insult any Justice or Justices so sitting in any such Court—that is, Petty Sessions—or commit any other contempt of any such Court"—and surely this conduct was either wilful insult or contempt of Court—"it shall be lawful for such Justice or Justices by verbal order to direct such person to be removed from the Court, or to be taken into custody, and at any time before the rising of the Court by warrant to commit such person to gaol for a period not exceeding seven days." Now, I say there is the offence, and there is the punishment, and I say it is a gross violation of the principles of justice—I might say a gross violation of the privileges of this House—that these Magistrates in Ireland, "of whose legal knowledge the Lord Lieutenant has satisfied himself"—these Magistrates—supporters of the Government and politically hostile to this gentleman—should dig out of the musty recesses of three centuries an obscure power and send this man to prison for three months. Such is the case before the House. Many times I have known the Adjournment moved under circumstances when I have not thought that course necessary, but if ever the exercise of the privilege has been justified it is on this occasion, in order to bring before the House and the public this system that is being pursued in Ireland, this parody of justice. I can tell the First Lord of the Treasury—who to-night seemed to think that the Irish Estimates are going to pass with remarkable ease and rapidity—I can tell him that we mean to take advantage of these Estimates to exercise the power the House undoubtedly possesses of dealing with all the servants of this House. These men are not independent of the House of Commons. I know they are servants of Dublin Castle. I know they are perfectly loyal servants of Dublin Castle, from whence they have their reward, but I say again in the face of the Chief Secretary what I will say in the country, but it is more honourable and courageous to say it here, that no more disgraceful administration of justice is to be found in the annals of modern history than that which now prevails in Ireland.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.) rose, and Mr. HANBURY (Preston) rose at the same time, and both remained standing for some seconds, while cries were raised for either.

The DEPUTY SPEAKER called on Mr. Balfour.

*MR. A. J. BALFOUR: It is very difficult to please hon. Gentlemen opposite When I did not get up to reply to the right hon. Member for West Belfast, hon. Members were not satisfied, and I heard one hon. Gentleman, with characteristic courtesy, call out "you are afraid"; and when I do rise to follow the right hon. Member for Wolverhampton it is intimated that I ought to delay my reply until another hon. Gentleman has addressed the House. So far as I am concerned I should have preferred to reserve my speech till the end of the debate, because as my hon. and learned friend the Solicitor General for Ireland has already spoken, there will be nobody left on this Bench to reply with that full knowledge of the details of Irish administration which is necessary adequately to meet the misrepresentations of hon. Gentlemen

opposite. But I cannot believe that my hon. Friend behind me means to attack the Government; and therefore I proceed to make such reply as may be necessary to the speech of the right hon. Gentlemen the Member for Wolverhampton. The right hon. Gentleman has very properly divided the case into two distinct parts—first, that part which, in its nature, is more legal and technical, relating to the action taken by the Magistrates in consequence of the hon. Member for Cork's behaviour in court; and, secondly, the part which relates to the sentence inflicted by the Magistrates for the original offence with which Dr. Tanner was charged. On the second part I need not detain the House long. The right hon. Gentleman has advanced the astounding assertion, as coming from a gentleman learned in the law, that the Court sentenced Dr. Tanner to three months' imprisonment for contempt of Court. The Court did nothing of the kind. Dr. Tanner need not remain one moment longer in prison in consequence of his conduct in Court. He has only to find sureties for good behaviour, which he can do without the slightest difficulty, and no imprisonment will follow on account of that conduct. But the right hon. Gentleman, to my intense surprise, says that Dr. Tanner naturally did not take a course that would be discreditable to him, that he was not the man to find sureties for his good behaviour, and, acting like a man of courage (Interruptions.) [An hon. MEMBER, "more than you do."] ("Order")—acting like a man of courage, he went to prison. Irrelevant and discourteous interruptions do not disturb me, and I do not think my hon. Friends behind me need trouble their heads about them. The right hon. Gentleman admitted that the language of Dr. Tanner in Court was highly improper. ("No! If he used it.") He did not defend it, he admitted it was highly improper. The phrase which I myself should have used as to that language is much stronger than that; but, take it to be what the right hon. Gentleman admitted it was, if Dr. Tanner used language which was highly improper, why should it be disgraceful to him to give sureties for his good behaviour? He was guilty of that which was not good behaviour, the right hon. Gentleman admits the impropriety, why, therefore, is it discreditable to him that surities should be required from him, and why this loose and violent rhetoric which has been used by the right hon. Gentleman? But this is not all. The right hon. Gentleman says that the adjournment of the House affords a very proper opportunity for bringing this case before the House and the country; but, at all events, neither the House nor the country can do anything to relieve Dr. Tanner from the sentence, if you call it a sentence ("Why not?"), imposed on him by the Court. But something can be done to relieve Dr. Tanner from the consequences of his behaviour if the Magistrates have been guilty of the misconduct attributed to them by the right hon. Gentleman. This House is not the place to re-try the action of the Magistrates. There is a Court which is competent to survey, and, if necessary, to quash, the action of the inferior Court on the ground of illegality; and if the Magistrates have acted illegally, as the right hon. Gentleman maintains, let him not come down to the House and indulge in violent tirades against the Magistrates and the Officials—let him take the legitimate course of asking a competent legal tribunal to give an opinion on the action of the Magistrates. With one further remark I will leave this branch of the question. The right hon. Gentleman appears to be deeply indignant because the Magistrates took the course which they did take rather than that under the Statute, which has been referred to more than once, that would have enabled them to inflict a sentence for contempt of Court. Now, in my opinion, the Magistrates adopted, I will not say the legal course, but the merciful course; and they did so not merely because by the action they took they did not necessarily inflict a single hour's imprisonment, but because if they were wrong in taking that course there is a mode of questioning the action of the Magistrates. The right hon. Gentleman is very strong on the matter of appeal, but I apprehend that if the Magistrates had given Dr. Tanner seven days' imprisonment there would have been no appeal. But now their action can be reviewed by a higher Court. Therefore I say that the Magistrates took the merciful course on two grounds, partly because they did not inflict a sentence at all, and partly because their

action can be done away with if a superior Court should hold that it was illegal. I would remind the mover of the adjournment that as that sentence was concurrent with the sentence for the assault on the policeman, a whole month must elapse before any injury can, under any circumstances, be inflicted on Dr. Tanner. During that month there will be ample time for taking steps to have the legal question tried; and if it is not tried it can only be—whatever hon. Gentlemen opposite may say in this House—because they think the case, though good enough to bring before a Party audience, is not good enough to go before a Court of law. I pronounce no opinion on the question of law. I know not and I care not how it may be decided by the superior tribunal; but let not hon. Gentlemen opposite say the Magistrates have acted improperly unless they have the courage to go to a Court that is competent to decide the question. I pass to that part of the charge brought against the Magistrates which relates to the sentence inflicted on Dr. Tanner for the original offence in respect of which he was brought before them. This has been described with an extraordinary wealth of invective, as gross, indecent, discreditable, and vindictive, and with other high-sounding adjectives which it is not worth while to record. Now, it is not my business to say whether the sentence was excessive or was not, but I do say most emphatically that the offence of which Dr. Tanner was accused and found guilty, and with regard to which he brought no evidence to prove his innocence, was a most disgusting and horrible offence. It was an offence which I gather Dr. Tanner did not himself defend in Court, and the character of which none of his friends have ventured to defend in the House. If Dr. Tanner was guilty of that offence, and whether the sentence inflicted was too serious or not, I maintain that, taking all the circumstances into account, the fact that Dr. Tanner is a Member of Parliament, instead of diminishing, greatly aggravated the offence. The right hon. Gentleman appeared to found part of his indictment against the Government on the fact that the man accused is a Member of this House. Of all men in the world, surely a Member of Parliament ought to be the one who would not, under any circumstances or provocation whatever, be guilty of the disgusting offence of which Dr. Tanner was accused. Having read the proceedings, and taking into account the circumstances of the case, I feel no doubt that the tribunal not only acted rightly, but as any other tribunal in the world would have acted in finding Dr. Tanner guilty of the offence. The most clear and specific evidence was tendered on oath that he was guilty; and no evidence of a rebutting kind was adduced, though every opportunity was given for its production if it existed. There is but one conclusion that any Member of the House or any tribunal can arrive at — namely, that Dr. Tanner was guilty of the offence. The right hon. Gentleman says that, at any rate, Dr. Tanner should have had an appeal. But the right hon. Gentleman has admitted that there was no question of law involved, but that it was a simple question of fact. If the Magistrates were not qualified to decide intricate legal questions, they were perfectly competent to decide an issue of the kind brought before them. And why should a tribunal, having a simple plain matter of fact to deal with, in respect of which evidence of a conclusive kind was adduced on one side, and none on the other, go out of its way to give an appeal to Dr. Tanner? There had been a great deal said about the retirement of Dr. Tanner's counsel. [*Cries of* "Expulsion."] If the right hon. Gentleman had followed with the close attention I have had to give to them the proceedings under the Crimes Act, he would have known that the course habitually pursued by a certain class of the accused and of lawyers in Ireland before the Crimes Courts has the appearance of a deliberate conspiracy to insult the Court and render the decorous administration of justice absolutely impossible. Instances of this kind have been familiar for the last two years. There is no doubt if decency and order are to be maintained in these Courts, and Magistrates are to be allowed to possess and use those powers without which the law cannot be administered with dignity and propriety, such incidents as that which resulted in the expulsion of the counsel of Dr. Tanner must be dealt with severely. It is a

great error to regard this as an isolated example. It is an instance of an unhappily familiar practice; and I do not think that the Magistrates had open to them any other course than that which they actually pursued. I do not think it is necessary for me to deal with any more of the points raised except one. All the hon. Gentlemen who have addressed the House from the Opposition side have made allusions to a speech delivered two days ago by my noble Friend the Member for Paddington. My noble Friend has been quoted as a critic of the Government in respect to the imprisonment of Members of Parliament, and he has been deliberately quoted by the right hon. Gentleman the Member for West Belfast as being on his side of the controversy, and the right hon. Gentleman opposite stated that the noble Lord had discovered what I, the Chief Secretary for Ireland, had not discovered—that it was unpopular to imprison Members of Parliament.

MR. DEPUTY SPEAKER: The right hon. Gentleman will not be in order in discussing the speech of the noble Lord to which reference has been made. It has no connection with the question before the House.

*MR. A. J. BALFOUR: Do I understand you, Sir, that no allusion can be made to that speech?

*MR. DEPUTY SPEAKER: An examination of it cannot be entered into now.

MR. A. J. BALFOUR: Nothing in the nature of an examination of that speech was going to fall from my lips. I was merely going to protest against the language of my noble Friend being interpreted as it has been interpreted by hon. Gentlemen opposite. My noble Friend is not present to defend himself, but I do not know that it is my business to defend him. Of course, Sir, I bow to your ruling. I will only say, in conclusion, that I have never taken into account the consideration which the right hon. Gentleman opposite seems to think ought to have paramount weight with me. He seems to think that the question of popularity or unpopularity is the paramount consideration to determine these matters. I do not think so. Whether it is popular or unpopular, I am going to do my best to preserve law in Ireland. And I do not think that to allow even a Member of Parliament to spit on a policeman with impunity is the best course to be taken in order to maintain the law. But I go further. I have not been, and shall not be, deterred from doing anything I think to be right by the fear of unpopularity, or by the threat of what the right hon. Gentleman may say before my face or behind my back. But I do not agree with the right hon. Gentleman in thinking that the people of this country would look with favour on so grossly partial an administration of justice as would punish the humble dupes in Ireland and leave unpunished those more powerful politicians who use their position in this House as one from which they can with impunity and effect stir up the people to courses of disloyalty and disorder.

MR. HANBURY (Preston): This is not the first time in which, differing as I do with hon. Members below the Gangway, I have risen to resent what has seemed to me to be not only an inexpedient treatment of Irishmen from a Party point of view, taking the lowest consideration, but to protest against what seems at first sight to me to be actually illegal and unconstitutional treatment. If we are to fight hon. Members opposite—and I am prepared to fight them on the question of Home Rule to the last—if, at any rate, we are to make our case clear and just before the people of this country to whom we shall have to appeal at an earlier or distant date, at any rate let us be able to show to the country that we have treated Irish Members with every possible degree of fairness. I agree that distinctions ought not be drawn between Members of Parliament and ordinary criminals; indeed, I should be inclined to punish a Member of Parliament who broke the law more severely than an ordinary lawbreaker. Although I should be perfectly ready to attack the Government, if I thought them wrong in the case before the House, yet, seeing that they have not defended the Resident Magistrate, the vote I shall give will not be against the Government, but will show my appreciation of the fact that the Resident Magistrates ought not to strain and stretch the law as they do. If Dr. Tanner is guilty of the offence with which he is charged, then he richly deserves the punishment which he has received. But with re-

ference to the tribunal, I express an opinion not general on this side of the House, but one which I have held ever since I had read the names and occupations of the Resident Magistrates, that they are not the most fitting persons to administer justice in the exceptional circumstances of the Coercion Act, and it was no satisfaction to me to see the occupants of the two Front Benches pointing to each other as responsible for their appointment. It does not matter two pins by whom the appointments were made. I do not think these gentlemen are qualified to exercise the jurisdiction entrusted to them. There was every reason why, in this particular case, the Resident Magistrates should have acted with the greatest possible circumspection. In the first place, they had a politician as the criminal, and although politicians must be tried like other criminals who offend against the law, still you cannot help, in the excited state of public feeling in Ireland, a certain amount of prejudice from being imported into the case in such instances. In this particular instance there was one very special circumstance. The man whom Dr. Tanner was charged with grossly insulting was an official of the Court, and that is a circumstance which ought to have weighed with the Court in passing sentence. But the question we have to deal with is one solely of contempt of Court. I am no lawyer, but I was very much struck, from the common-sense point of view, with the remarks of the right hon. Member for Wolverhampton (Mr. Fowler) when he, speaking as a lawyer, gave it as his opinion that the recent Act, which only inflicts seven days' punishment for contempt of Court, overrides the old law under which it is possible to give a greater amount of punishment. But, whether that be true or not, when we pass exceptional laws for Ireland, which are considered to be sufficiently stringent, it seems to me to be unnecessary, modern laws being so strict, to go back and find out musty precedents in order to bring them into Court against opponents. It is no answer to say that Dr. Tanner need not have gone to gaol, and that he might have chosen the other alternative and given surety for good behaviour. The Judges who gave the decision looked on the two things as equivalents, and both of them, I say, far exceed the seven days' imprisonment which can be inflicted under the law. Speaking from the point of view of a Unionist, and as one who wishes to maintain law and order in Ireland, I think we ought to be sure that the law and order to be maintained is the law and order which is recognised by Parliament and sanctioned by Statute. The Government, while they ought, undoubtedly, to keep order in Ireland and maintain the law, ought to be very careful that they do not go one iota beyond what is absolutely certain is the law. I have often observed that the law, as administered by the Resident Magistrates, has been somewhat strained. I could understand anyone who wished to separate England and Ireland trying to make enemies of the hon. Members from Ireland, and of the Irish people, but for the Conservative Party, who look to the day when the difficulties between England and Ireland will be removed, I think it is very bad policy indeed to try and embitter the Irish people, and to allow a sentence of this kind, which can be quashed by the right hon. Gentleman (Mr. A. J. Balfour) to remain, and so seemingly to be supporting what, if it is not actually illegal and unconstitutional, does seem to be a strong straining of the law. It is because I am a strong Unionist that I say it is folly to make the English Law unpopular in Ireland, and to provoke the Irish Members, who, for the present at least, are the leaders of the Irish people, by acts which, I venture to say, are illegal and unconstitutional.

MR. ATHERLEY-JONES (Durham, N.W.): I have almost invariably noticed that when excesses by the Irish Resident Magistrates are brought before the notice of the House the English Law Officers are silent. I should like to ask the hon. and learned Attorney General whether or not he thinks that the Resident Magistrates exceeded their powers when they bound Dr. Tanner over in his good behaviour for the alleged contempt of Court. I feel confident, speaking as a very humble English lawyer, that my hon. and learned Friend will inform the House on his great authority that this action of the Irish Magistrates cannot possibly be defended by any lawyer. I do not think we ought to confine ourselves to narrow and technical grounds as to whether the Magistrates

were entitled to act as they did or not Under a recent Statute, as has been. pointed out, the maximum penalty for contempt of Court in a Court of Summary Jurisdiction in Ireland is seven days' imprisonment, and I cannot help thinking that these two Irish Magistrates had a very shrewd notion that Dr. Tanner would not allow himself to be bound over in sureties to keep the peace, and they came to the conclusion that by binding him over they would be inflicting a far heavier punishment upon him than if they sentenced him to seven days' imprisonment. The Solicitor General for Ireland quoted from Hawkins's *Pleas of the Crown* to show that the Magistrates were entitled to take the course they did take. The power under which such a sentence could be imposed is conferred by the Statute of the 34th of Edward III., Chapter 1. The hon. and learned Solicitor General for Ireland was careful not to quote Hawkins's statement, that the power appears to refer only to matters having relation to the peace, and "it has been said not to apply to rash, quarrelsome, or unmannerly words unless they directly tend to a breach of the peace." Although there is a power in the Magistrates to bind over for good behaviour, it is a power which has no relation whatever to contempt of Court. I will ask my hon. and learned Friend the Attorney General whether he can state that in all his experience there has been one single instance in which a person has been bound over for contempt of Court under this Statute. It is the commonest thing in the world for strong language to be used in the heat of the moment by prisoners, and Justices or Judges either ignore such language altogether or confine themselves to ordering the detention of the offender, perhaps for the rest of the day. It appears to me there can be no possible defence, either technically or in substance, for this most extraordinary conduct on the part of these Magistrates. They also declined all facilities for appealing. Under the 42nd and 43rd Vict. it is expressly provided for the liberty of the subject that whenever a person is convicted and punished by imprisonment, there shall be a power of appeal. I say that to have deliberately shut out Dr. Tanner from an appeal is a scandal in the administration of justice. Matters of this kind disturb the public conscience and constitute what is nothing more or less than a reproach to the Government of Ireland, and I utterly refuse to believe that my hon. Friend Dr. Tanner was guilty of so disgusting an offence as that with which he is charged.

*MR. FULTON (West Ham, North): I rise in order to enter an emphatic protest against the growing practice of discussing legal questions in this House —legal questions which are capable of being properly discussed in a Court of Law. The hon. and learned Member who has just sat down had the amazing effrontery—["Oh," and "Order"]—I will not insist upon that word but will say the hon. Member asked the Attorney General to be kind enough to give his opinion upon the question of law as to whether the Crimes Act Court was right or not. I sincerely hope the Attorney General will do nothing of the kind. If, as is said, the Magistrates acted without jurisdiction, there is the simplest possible way of ascertaining that immediately. As every lawyer knows by simply moving the Queen's Bench that Court would at once have ordered, on cause being shown, a rule *nisi* to have the order of the Magistrates brought up, and by that means the order, if they acted without jurisdiction, could be quashed. Hon. Members opposite are hard to please. They complain of the Magistrates because they would not, in the first instance, pass on Dr. Tanner a sentence which would give him the right of appeal, and then, when the Magistrates make an order with respect to the contempt, which gives him the opportunity to appeal, they find fault with the Magistrates for giving him that opportunity. This Debate has been very instructive. The right hon. Gentleman the Member for Wolverhampton (Mr. Fowler) a Member of the Privy Council, and a former Member of the Government, has stated in his place in this House that the hon. Member for Mid Cork. Dr. Tanner, was perfectly right and acted as every hon. Member would have done, when he positively and peremptorily refused to admit the jurisdiction of a Court constituted by law.

*MR. FOWLER: The hon. Gentleman will be good enough to quote me correctly. I did not say he was perfectly

justified in refusing to admit the jurisdiction of the Court, but that after his counsel had been ordered out of Court and he had been deprived of legal advice he was perfectly right in contending that he could not have a fair trial.

*MR. FULTON: That refers to a different matter. The right hon. Gentleman repeated several times that the Magistrates had sentenced Dr. Tanner to three months' imprisonment, and I said "No." Then the right hon. Gentleman said—"The hon. Gentleman is referring to the fact that he could have given sureties to keep the peace. Of course he would not give sureties to keep the peace." We have it, then, on the authority of the right hon. Gentleman that a Member of Parliament brought up before a Court properly constituted and which has heard evidence on oath is perfectly justified in refusing to find sureties to keep the peace. I am quite willing that this House and the country should judge as to whether that is a proper attitude to adopt. I should like to know whether the right hon. Gentleman the Member for Wolverhampton or the right hon. Gentleman the Member for Newcastle (Mr. J. Morley) approves of the conduct of Dr. Tanner's counsel. The right hon. Gentleman the Member for Wolverhampton says that if such conduct took place in England there would simply be a rebuke from the Bench and that would be an end of the matter. I venture to say that no one can produce anywhere any record within modern memory of a counsel daring to use such language and behaving in such a manner in a Court of Law in England. I invite any one of my hon. and learned Friends opposite who sympathise with Dr. Tanner to attempt to use such language in any such Court. I say, without hesitation, that if any member of the English Bar sank so low as to act in that manner he would very soon be brought to his senses by one of Her Majesty's Judges in a way that would be extremely disagreeable to him. I altogether deny the right of members of the Bar to insult any properly constituted tribunal merely because they happen to disapprove of its constitution. It has been said that in England Magistrates will always increase a sentence in order to give a right of appeal. Of course they will, and the Magistrates in this case would have been wrong to refuse if Dr. Tanner had called any evidence. As he called no evidence there was no reason why they should give a right of appeal. This matter after all has been opportunely brought forward, because it shows how utterly unfounded are the accusations of hon. Gentlemen opposite against the Government.

*MR. R. T. REID (Dumfries, &c.): The hon. and learned Gentleman who has just sat down is apparently of opinion that this House ought not to take cognisance of what he calls legal cases but what we call the maladministration of justice in Ireland. In my opinion it is one of the most important duties this House can discharge to see, especially in the exceptional circumstances of the criminal law in Ireland at the present time, that Magistrates do not abuse the powers committed to them. I think it is one of the most gross abuses of which the Resident Magistrates have hitherto been found guilty that they have made use of this old Statute for the purpose of inflicting punishment for contempt of Court. The law relating to contempt of Court is so jealously guarded in England that it is only permitted to Judges of the Superior Court except by Statute. And this for two reasons — in the first place, because the term of imprisonment is unlimited, and in the second place, because the punishment is inflicted by those who have themselves sustained the insult, and it is not necessary to point out that you require carefully to safeguard the powers of punishment placed in the hands of any man under such circumstances. There has been an alteration of the law by Statute in the case of County Courts, and also an alteration of the law in Ireland by which when contempt of Court has been committed, Justices are entitled to imprison for seven days, and may order the person to be removed from Court. Now, Sir, the Resident Magistrates in the case before the House knew of the law which relates directly to contempt of Court, and they deliberately refrained from using it, but went back to the old Statute of Edward III., the object of which was to punish persons for disorderly conduct. I may specify one or two cases mentioned in the Act:—Persons "who sleep in the

day and go abroad at night," "such as keep suspicious companies," "eavesdroppers," and "common drunkards." The proceeding is on a Statute passed in Edward III., and it is intended for persons of the character I have described. It is an open question whether, according to the English law, Justices of the Peace are entitled to make use of this Statute at all. I believe it would be difficult to maintain that proposition. But suppose for the sake of the discussion that they are entitled to use it. How have they applied it? They have grossly misapplied the Statute, intended for "drunkards and persons who sleep in the day and walk by night," for the purpose of inflicting punishment they could not otherwise inflict on a man who is supposed to have insulted them. That is the grave part of this matter. I put this question to the Attorney General—has any person ever heard before of this Statute being applied in England for contempt of Court? Has any lawyer in this House ever heard of this obsolete Statute of Edward III. (obsolete for this purpose) being used for inflicting punishment for contempt? What have we got? We have got a couple of Resident Magistrates, being authorised by law to inflict seven days' imprisonment, with the significient alternative that they may order the man to be turned out of Court, making use of a Statute which has no more to do with the law of contempt than any stray Statute you would pick up from that table. It is said there may be an appeal. I will endeavour to meet that proposition. There may be an appeal, not an appeal in form, but a legal process for bringing forward and quashing this proceeding, if it appear that the very wide language of this Statute cannot, under any circumstances, embrace disorderly conduct such as has been suggested here, then the conviction would be set aside, but if, technically, it should appear that this very wide and very loose language may possibly embrace disorderly conduct of any kind, then there will be no *certiorari* and no appeal. We have, therefore, to remember that Dr. Tanner is now required to raise the question as to what construction can be put on the language of the Statute of Edward III. It is a legal question which I need not now discuss, as the House will not take much interest in it. I believe, in point of fact, that this imprisonment will be set aside. Supposing it is not, the result will be that for the first time in the course of our history Resident Magistrates have made use of a Statute which is not intended for the purpose, in order to wreak their personal revenge upon a man who is supposed to have insulted them. I have endeavoured to point out how the law is maladministered in Ireland by Resident Magistrates, and although it is important, no doubt, that Dr. Tanner should be relieved from the infliction of the sentence which, even if there were lawful power to administer it, is a most gross sentence in comparison to what was done, in my mind a far more important matter is that this is an apt illustration of the length to which these Resident Magistrates will go in gross defiance of the constitutional aspects of the law, which I am afraid they are unable to appreciate.

MR. C. J. DARLING (Deptford): All that the hon. and learned Gentleman has said about the length to which Resident Magistrates will go amounts simply to this, that they have ordered a person who has been disorderly in Court to bring some sureties, which he could have obtained in a moment, that he would be of good behaviour for some time to come. And we are actually told that the country is going to rise in revolt against Her Majesty's present Government, because they do not instantly rebuke in some way or another the Magistrates who have merely ventured to ask a person disorderly in a Court of Justice to give security that he will not be disorderly again. Seeing that the country is for the most part composed of orderly persons, I do not think they will be so shocked at what has happened to a notoriously disorderly person as hon. Members seem to fancy they will. The real secret at the bottom of this Debate is that the Opposition are delighted on this particular evening, before coming to a subject which will divide them into 50 atoms, to find a subject upon which they can all go into the Lobby, and represent to the country that they are a united Party. The hon. Member (Dr. Tanner) is used as a *corpus vile* for performing in the presence of the public this interesting experiment. But with

regard to the proof which the hon. and learned Gentleman (Mr. Reid) has attempted to give of the utter illegality of the action of the Resident Magistrates, it seems to me that the more thoroughly he satisfies himself and this House that they had no kind of warrant for this proceeding, the more extraordinary it is, if there should be a real wish to relieve Dr. Tanner of his imprisonment, that a *certiorari* has not been applied for at once. I make no doubt it will be applied for, after the utterances from a solicitor (Mr. H. H. Fowler) a barrister (Mr. Atherley Jones) and a Queen's counsel (Mr. Reid.) In the course of the many interjections which have adorned this Debate, some hon. Member for England said that Dr. Tanner was too poor to get an opinion. [Mr. SEXTON: No one said that.] Well, I thought so. At all events, that need not stand in the way now he has got opinions in this House from the hon. and learned Gentlemen I have named, that he has a good case against the Resident Magistrates if he likes to apply for a *certiorari*, and he has got those opinions for nothing. All he has to do to-morrow morning is to get a counsel who can restrain himself in the presence of an Irish Court of Justice. I would not advise him to employ the same counsel as before, as then the real point of the case may never be reached. He has only to employ an orderly and competent counsel, if he can find one in Ireland, and to ask that counsel to apply for a *certiorari*, and if he only mentions the opinions of the three hon. and learned Gentlemen, I have no doubt he will get it immediately. The more he proves the Resident Magistrates to be wrong, the less need, it appears to me, is there for interference on the part of this House or the Officers of the Crown. Reference has been made to a letter written by the hon. Member, which asked for the grace of the Crown.

MR. SEXTON: The hon. and learned Member is under a misapprehension. Dr. Tanner does not want the grace of the Crown; he desires, simply as a Member of Parliament, to expose the cruelty of his treatment.

*MR. C. J. DARLING: I am very sorry indeed to have imputed so respectable a motive. The only way in which the Chief Secretary, who has been appealed to, can exercise his power is to advise the Lord Lieutenant to exercise the grace of the Crown. He cannot quash the Order of the Resident Magistrates. The only possible way to quash the Order is to go before the Courts in Dublin. I think the application for grace to the Crown might be made with some force. There are circumstances with regard to Dr. Tanner to which I need not allude. ["Allude to them." "What are they?"]—they cannot but be present to the minds of every Member of this House—why the Crown might take a lenient and exceptional view of this matter.

MR. W. O'BRIEN (Cork, N.E.): Mr. Speaker, before the House closes, I should like to say a word or two, though not as a lawyer. The *scintillæ luris* to which we have been just treated by the hon. and learned Gentleman (Mr. Darling) were not intended or expected to elicit any serious reply from this side of the House. I do not think he has improved the Government case in reference to the charges against Dr. Tanner by his chivalrous and gentlemanly reference to poor Dr. Tanner's wife. I turn, Sir, to more important persons. I congratulate the right hon. Gentleman the Member for Wolverhampton and the hon. and learned Gentleman, who sits opposite, upon their success in drawing the Chief Secretary, who declared two nights ago that there was nothing happening in Ireland which did not bore him now since he had ceased latterly to be amused.

*MR. A. J. BALFOUR: I never said anything of the kind.

MR. W. O'BRIEN: The right hon. Gentleman repudiates the report of the secret meeting at Shoreditch. Am I to understand that?

*MR. A. J. BALFOUR: I repudiate the version which the hon. Gentleman has given of the remarks I made.

MR. W. O'BRIEN: Well, I have given the version which I myself saw, and the right hon. Gentleman has only himself to blame if there is not a more authentic report given. He did state according to both the versions I have seen that latterly there was nothing in the state of Ireland, or in what was happening in Ireland that even amused him, or even gave him, as it once gave him acute pleasure to deal with in this House. To-

night I am glad to say that he has to some extent been roused out of his state of languor. Notwithstanding his statement of the other night, I venture to hold to the opinion——

*MR. A. J. BALFOUR: Perhaps the hon. Gentleman will not repeat a statement which I have distinctly repudiated.

MR. W. O'BRIEN: I am glad to hear that the right hon. Gentleman does admit that there are serious and terrible things going on in Ireland still. I think we have had a fairly good specimen of them to-night. The right hon. Gentleman, I venture to say, affected to ignore the powerful appeal of my right hon. Friend the Member for West Belfast by putting up the Solicitor General for Ireland to make a defence which was a very conscientious defence, but which was a dry, legal, and thoroughly ineffective defence. But the right hon. Gentleman now finds from indications on this side of the House and on his own side of the House that it is not the Solicitor General that we are arraigning, but himself. Whatever his relations are to the hon. and learned Member for Paddington, he has begun to realise that even on his own side of the House there is an uncomfortable feeling possibly not so candidly or courageously expressed as it was by the hon. and learned Gentleman opposite, but still a deep feeling that this is an unworthy attempt to insult and to wound a brother Member of this House, who, whatever he may be as an opponent, or whatever men may think of him, is, at all events, a man, every inch of him, and as warm-hearted an Irish gentleman as ever the Chief Secretary delighted to dishonour. But there is one aspect of this case which has not been pressed sufficiently upon the House. I believe nobody who has heard this Debate can seriously doubt that this charge would never have been heard of if the Chief Secretary had not inoculated his subordinates in Ireland with his own apparently incurable taste for wounding his opponents in petty and unmanly ways. Dr. Tanner stated—and who can doubt him?—that he would sooner endure 20 years' imprisonment than be obliged to answer this disgraceful charge. Of course he would. They knew that they could not break his spirit by long months of imprisonment, so they tried to wound him to the quick by a charge which it is a humiliation and an insult to be called upon to answer or deny. [*Laughter.*] I know that there are hon. Members who are not ashamed of the policy of the right hon. Gentleman and not ashamed of themselves. I am glad to think that their opinions are becoming the opinions of a very diminishing minority. I say that the laughter and jeers of hon. Members only emphasises the fact that this charge is in itself the best specimen of this sort which the right hon. Gentleman encourages among his officials in Ireland. The County Inspector and Mr. Fitzgerald, I know quite well, are not so stupid as not to see the kind of services that obtain their promotion. They know that there is nothing which affords the Chief Secretary such exquisite pleasure as putting the word of an Irish Member against the word of an Irish policeman; and it is not their fault if they come to the conclusion—and this is a desperately serious thing—that the more hateful and injurious the insinuations they put forward against the honour of Irish Representatives, the more highly they will be regarded in influential quarters. I know something of the officer whom Dr. Tanner is charged with assaulting. I must say that a more ill-tempered and ferocious officer never had the lives of the people at his mercy, even in Ireland. I do not know how to convey to this House any idea of the sort of man that he is. Probably it would not be discreet to say more, or to say that much, because in a few weeks more I may be in his power again, and I may have a worse charge made against me than was made against my hon. Friend, who is utterly incapable of disgracing the name of an honourable gentleman. He has been taunted with not producing witnesses. Do hon. Members know what a horrible system this is, and how utterly we are at the mercy of these policemen and officials, and how unsafe our honour and character are? What happened in this particular case? Here is a man shut up in a railway carriage with a body of policemen who are encouraged and stimulated in every way to cover Irish Members with opprobrium. Why was this charge kept for months in pickle? It was never mentioned until my hon. Friend's term of imprisonment was

coming to a close. Then you have the adjournment to the date when he could not have the advantage of a concurrent sentence. Then you have this episode before Mr. Fitzgerald; you have his counsel thrust out of Court—a counsel who, I think, will compare possibly not unfavourably either in character or in ability with the hon. and learned Member who has just spoken. Mr. Healy is flung out of the Court at the whim of these creatures of the Chief Secretary, and then the man is left defenceless and to his own resources, and actually for the very speech he made in his own defence he is sentenced to three months' imprisonment. I believe it is unheard of that an undefended prisoner should be subjected to this punishment simply because in his defence he is betrayed into a few words of rough truth—a few words which do not disgrace him in the smallest degree in the eyes of his countrymen or in the eyes of honest men in this country. It seems to me that the speeches we have heard to-night establish conclusively that these Magistrates are not content even with the ferocious powers which the Coercion Act gives, but that they must endeavour to heel-tap that Coercion Act by having recourse to this ancient Statute against strangers and vagabonds. Whereas it appears as clear as daylight that seven days is the extent of the term of imprisonment for contempt, they have gone to this musty old Statute for a punishment which is in direct contravention of the pledge and understanding upon which this Coercion Act passed this House. The more this question is considered and discussed, the more, I believe, it will be seen that it is a cowardly and vindictive attempt to victimise a political opponent, because Dr. Tanner is supposed not to be a very popular person in this House. It is not the first time that the Government have pressed us too far before the ordinary humane feeling and sympathy of the people of England, and I dare say their experience to-night will have shown that they have ventured too far upon Dr. Tanner's personal unpopularity with a certain section of the House, and that they are not quite so safe as they supposed they were in attempting to degrade and to insult him, and to drag him about in the hands of policemen as they have done. I venture to say that the man who is capable of directing that policy, or of tolerating such a policy, ought to blush for himself in the eyes of honest men, instead of smirking and bragging as he does of it. I will only refer to one other topic—the argument that Dr. Tanner might have obtained bail. Had he done so, it would have been a confession that he had been guilty of this disgraceful conduct, which he utterly repudiates. There is no reason why we should not all be shut up *in secula seculorem* without any particular charge being made if the Magistrates chose to take such a course. So far as we are concerned, we are accustomed to this sort of thing; but it is a very serious thing for you to encourage these officials in Ireland to believe that, practically speaking, they are safe in putting any story or any charge to the discredit or the dishonour of an Irish Nationalist, and that the more atrocious the charge the better are their chances of promotion. They are convinced that the right hon. Gentleman will accept any story they choose to tell him without qualification, and they are justified in that belief by the conduct of the right hon. Gentleman. They know that he will resolutely refuse the English people any honest way of judging the conduct of his subordinates as the result of any honest and independent public inquiry. They have come to consider that if they only make themselves sufficiently obnoxious to the Irish people they will be the first to be pensioned off when Home Rule is established. It is a very dangerous feeling that you are encouraging in the minds of those officials, and it is time it should be known that the day will come when there will have to be a full and searching investigation into the right and truth of all these matters, if not under the present Government, at any rate under the Government that will succeed it. I have no doubt that when the treatment of Dr. Tanner is inquired into, it will be seen that it was an unworthy and disgraceful attempt to defame a political opponent, and but a part and parcel of the policy which you are endeavouring to carry out all over the country.

COLONEL SAUNDERSON (Armagh, N.): It is very interesting to hear the hon. Member for North-East Cork (Mr. W. O'Brien) giving his opinion in regard

to odious insinuations. There is no better judge of odious insinuations in the world than the hon. Member. I do not know whether the House remembers, but I certainly do remember, that it was not from this side of the House, but from the hon. Member himself, that the most dreadful insinuations were heaped by him upon his present friends and allies on the Front Opposition Bench, insinuations so odious as not to bear repetition in the ears of civilised society. The hon. Member, alluding to the imprisonment of Dr. Tanner, has characterised that individual as an honest and warm-hearted Irish gentleman. Sir, I have my own opinion on that subject, and my opinion as to an honest, warm-hearted, sober-minded Irish gentleman differs materially from that of the hon. Gentleman opposite. And now, Sir, I should like to draw attention to what is the real question before this House and the country. My hon. Friend the Member for Preston has alluded to it, and the right hon. Gentleman the Member for Wolverhampton (Mr. Fowler) took it as his principal theme; and I think we may expect that, during the Recess, sermons from that text will be preached to the English people. The right hon. Gentleman (Mr. Fowler) seemed to think that it is a very serious thing to imprison a Member of this House; but if an hon. Member of this House chooses to break the law, and subject himself to the penalties of the law, why, I ask, should he be treated in a different manner from that in which he would treat the meanest of Her Majesty's subjects? My hon. Friend is entirely astray when he says that the real question we are discussing is the punishment of Dr. Tanner for refusing to find bail. The question we are now debating is, whether the authorities were right in imprisoning Dr. Tanner, not for a contempt of Court, but for a disgraceful and an odious offence which was clearly proved against him. [Several hon. MEMBERS: No, no!] I am certainly right, because there was no rebutting evidence. If the hon. Member for Cork chose to allow himself to be accused in a Court of Justice of an odious offence, and deliberately refused to give evidence to the contrary, then he allows judgment to go by default against him. As to whether the hon. Member for Cork is or is not capable of such a disgraceful act, I offer no opinion; but the conduct of the hon. Member is in the memory of the House, and all I can say is that the impression produced on my mind is that there are very few things he is not capable of doing in opposing the law.

MR. W. O'BRIEN: He is an Irish gentleman, and you would never dare to say that to his face.

COLONEL SAUNDERSON: The right hon. Gentleman the Lord Mayor of Dublin appealed at the outset of his speech to the sympathy of this House for Dr. Tanner. Now, what was the sympathy of the House to be accorded to Dr. Tanner for? It was because he was incarcerated in an Irish gaol. I cannot conceive that that appeal related to the decision on the question of contempt of Court, because, in all probability, that sentence will be quashed. As a Magistrate, I am not aware that there is power to inflict such a punishment as has been imposed upon Dr. Tanner, and I have a strong idea that that punishment will not be carried out. But that is not my point, and that is not the ground on which the Lord Mayor of Dublin appealed to the sympathy of this House and country. He appealed for that sympathy on the ground that Dr. Tanner is in gaol undergoing the penalty of hard labour, and that he had no right to appeal.

MR. SEXTON: The right of appeal had been denied to him.

COLONEL SAUNDERSON: In such a case as this no Magistrate would ever have given an appeal in the case of an ordinary individual or common person who had not attained the exalted rank of an Irish Nationalist Member; but if they had granted an appeal, on what ground would it have been given? Dr. Tanner had said they were a grossly unjust tribunal, utterly unfit to try the case, which was one of a disgraceful assault on a police officer, although, I am sorry to say, it is not one of a character which is utterly unknown in Ireland. The question I want to ask the House—and, if I live, I shall ask the country—is this: hon. Members opposite, for the purpose of spreading their own opinions, deliberately go over to Ireland and disobey the law to try to bring it into contempt. The law upon which they trample is not a law passed by my right hon. Friend the Chief

Secretary, but by this democratic House of Commons; and I maintain that if there is one thing which the people of this country will insist upon more than another it is that Members of this House shall be treated in the eyes of the law in the same way as the meanest man in the Kingdom. You are asked to sympathise with the hon. Member for Cork because he is now in gaol undergoing the tyrannical law which this House has passed; but, in so putting himself in gaol, he has only fulfilled his highest aspirations. If the House will allow me, I will read an elegant extract from one of the hon. Gentleman's speeches——

MR. DEPUTY SPEAKER: As this Motion of Adjournment has been made on a definite matter of urgent public importance, I think the hon. Member should confine himself to the matter at issue.

COLONEL SAUNDERSON: I still maintain that, in imprisoning Dr. Tanner, the Magistrates were fulfilling his highest aspirations, openly expressed—namely, that he desired and hoped to be put in gaol, and to obtain a period of retirement, which he has now succeeded in securing. The right hon. Gentleman the Lord Mayor of Dublin has appealed to this House for sympathy towards Dr. Tanner, who is now in prison for a disgraceful and odious offence; but it should be remembered that this is not an accusation suddenly brought against the Member for Mid Cork, but one which has been before the public for some time. Why did not the hon. Member come before the country and deny that he had ever committed such an abominable action? [An hon. MEMBER: "What chance had he?"] At all events, some of the 85 mouths below the Gangway on the other side of the House might have spoken for him. Allow me to point out how childish it was on the part of the hon. Member for North East Cork (Mr. W. O'Brien) to say why should Dr. Tanner in a Court of Justice attempt to deny a charge of this kind. I maintain that any man, whatever his position, is under the necessity of denying such a charge, supposing it to be untrue. I say it is the duty of every hon. Gentleman so charged of an abominable offence to establish his character as a private man, and as a Member of this House. I hope the House will see that Her Majesty's Government, at any rate, are not to blame in this matter. Is there any instance on record in Parliamentary history of any hon. Member of this House getting up in his place and accusing the Government of the day of prostituting justice to their own ends, either in England, Wales, or Scotland? But because this occurred in Ireland, and because hon. Members opposite found their policy on a successful resistance to the law of Ireland, we have the right hon. Gentleman the Member for Wolverhampton, who is a lawyer and ought to know better, getting up in his place and without a shadow of foundation for his remarks accusing two Irish Magistrates of being absolutely destitute of one shred of honour, and of having for political motives prostituted the law which they were bound to administer. Whatever may be said of an Irish lawyer he may, at any rate, compare favourably with the right hon. Gentleman himself. No language is too strong to repudiate this attempt to vilify the Irish Magistrates, whose duty is hard enough already, in the attempt to exercise the different functions which this House, and not Her Majesty's Government, have placed in their hands. And yet the right hon. Gentleman gets up in his place in this House and helps to fan the flame of illegality in Ireland, and to prompt the Irish people to disobey a law which this Parliament has passed.

MR. SHAW LEFEVRE (Bradford, Central): I do not desire to detain the House on this question, but I think it right to say that I know Dr. Tanner to be a high-hearted and honourable man, and I am convinced that he did not commit the act of which he has been charged. I think I know more about Dr. Tanner's character than the hon. and gallant Gentleman who has just sat down, and I am not ashamed to say so. I believe him to be a very kind-hearted, honourable man, although, perhaps, not always very discreet. Some time ago a friend of mine who was travelling in Ireland met with a very severe accident by being thrown out of a car. Dr. Tanner took charge of this gentleman, and for many days nursed him most kindly and tenderly.

MR. NOBLE (Hastings): I rise to order. I wish to know whether the kindheartedness of Dr. Tanner is the question before the House?

MR. SHAW LEFEVRE: A few days ago I spoke to Dr. Tanner on the subject of the charge against him, and he assured me on his word of honour that he did not commit the act of which he was accused, and I believe him. The House should remember that Dr. Tanner did not produce evidence in contradiction of the charge against him because he denied the jurisdiction and competency of the Court. I would ask hon. Members opposite to consider whether it is not certain that two Resident Magistrates sentenced Dr. Tanner to one month's hard labour with the intention of ousting what would otherwise have been Dr. Tanner's appeal to the County Court. This is only one illustration of many cases of the same kind. The Chief Secretary to the Lord Lieutenant has pointed out that Dr. Tanner might have relieved himself from imprisonment by giving security and bail for his good conduct. But if Dr. Tanner had done so, he would have admitted that he had been in the wrong, and I do not think there is a Member of this House who, under similar circumstances, would have taken that course. When the hon. Member for South Belfast (Mr. Johnston) was very unjustly sent to prison by a Conservative Government in 1868 for holding an Orange meeting in the North of Ireland, Lord Mayo offered to release him if he would enter into his recognizances for his future good conduct, and would undertake not to repeat the act, but the hon. Gentleman very rightly refused to give such an undertaking. If he had done otherwise, I think he would have forfeited the good opinion of every Irishman. I will conclude by remarking that, in my opinion, the Magistrates took this method of dealing with Dr. Tanner's case knowing that that Gentleman would go to prison for three months in addition to the three months' hard labour that had previously been inflicted upon him on another charge.

*SIR H. DAVEY (Stockton): I do not think there is any real difference of opinion among lawyers on the point before the House. No hon. and learned Member opposite has expressed the opinion that the Magistrates had jurisdiction to inflict three months' imprisonment on the hon. Member for Mid Cork (Dr. Tanner). To put a strained interpretation on the Statute of Edward III. so as to include contempt of Court within the general wording is not a proper use of the Statute. It has been said that legal questions which may come before the Courts ought not to be argued in this House; but I claim, on behalf of the honour and dignity of the House, the right to bring forward any case wherein a Member of the House has been committed to prison by a Magistrate acting in excess of his jurisdiction. This is not a question affecting Dr. Tanner, but it affects the House. I deny that because it is a matter which may have to be decided by the Courts the House is precluded from discussing the reasons why one of its Members is prevented from attending its sittings. We have continually called, and intend to call, the attention of the House to any case in which there has appeared to be any maladministration of justice in the circumstances in which Ireland is now placed. The Government have obtained an exceptional Act creating an exceptional tribunal. I admit that the Act is the law of the land, and that we cannot complain of the powers which it confers being exercised. But the exceptional character of the Act makes it more incumbent on the House to take care that the large jurisdiction conferred on Magistrates shall not be exceeded. Then we are told that this may be a matter of appeal, or that a *certiorari* might be applied for. I do not know what course Dr. Tanner may take, but even if he applies for a *certiorari* that does not answer the point which the Lord Mayor of Dublin has brought before the House. The right hon. Gentleman expended a great deal of eloquence in describing the horrible and abominable nature of the crime of which Dr. Tanner has been convicted. If Dr. Tanner has been guilty of that offence it may be admitted that his conduct was at least unbecoming and unworthy of a gentleman. But the real points are—first, whether the Magistrates have not exceeded their jurisdiction; and, secondly, whether they have exercised that jurisdiction in a proper manner by refusing an oppor-

tunity of appeal from the sentence. I was surprised to hear the right hon. Gentleman say that it was Dr. Tanner's own fault in not finding surety. Why, if Dr. Tanner had done so he would have admitted the jurisdiction of the Court to make that order; and the jurisdiction has not been seriously defended by any single Member of the House. With regard to the refusal of the right of appeal in connection with the first sentence, I can only say that under the special circumstances of the case when Dr. Tanner had been deprived of the services of his counsel, I know not whether rightly or wrongly, owing to that gentleman having conducted himself in a manner which the Magistrates considered improper, and when the Magistrates were told that there was evidence which might put a different complexion on the case, it was their duty either to postpone the trial so that the accused might obtain other advice, or to inflict such a sentence as would enable Dr. Tanner to appeal to a higher Court. The Solicitor General for Ireland will not go further than to say that doubts have been entertained whether the Statute of Edward III. applies to a case like this. But when the Summary Jurisdiction Act prescribes a remedy and fixes the punishment of one week's imprisonment, the effect of that enactment is to prevent the Magistrates from inflicting any greater term of imprisonment. Otherwise, the Magistrates would be able to do indirectly that which they are prohibited from doing directly. The Secretary for Ireland repeated that he is determined to discharge his duty, and to preserve respect for the law in Ireland. But I tell him that events such as this, if what is stated is true, constitute a mockery and travesty of justice—the idea of giving three months for what the Magistrate is restricted to one week! These cases are calculated to destroy respect for law in Ireland. If the Government had expressed their regret that the Magistrates had exceeded their jurisdiction and would take care that no harm came to Dr. Tanner, it would be far otherwise. But when the Irish people see that the Government use all their powers to support sentences and orders against Dr. Tanner which they do not venture to say are in accordance with law, it is not to be expected that they will show much respect for the law which was administered in their own country.

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): It is a pity that my hon. and learned Friend, for whose opinions on all legal questions I entertain the highest respect, should have made a speech without acquainting himself with the facts. My hon. and learned Friend has said that if what is stated is true this trial has been a mockery and travesty of justice, and that Dr. Tanner is at that moment illegally imprisoned.

*SIR HORACE DAVEY: I did not say that.

*SIR R. WEBSTER: Then I do not understand what the hon. and learned Gentleman meant.

*SIR HORACE DAVEY: What I said, or at least intended to say, was that the Government were supporting an order made by Magistrates for three months' imprisonment.

*SIR R. WEBSTER: My hon. and learned Friend could not have made the statement he did if he had known the facts. Imprisonment has been inflicted for the disgraceful offence referred to for one month. At the end of that month any question with reference to the further sentence of three months can be raised. Now, what are the facts? My hon. and learned Friend and the right hon. Gentleman the Member for Wolverhampton have attributed injustice to the Magistrates, because it is said that they acted in the absence of Dr. Tanner's counsel. My hon. and learned Friend further said that the Magistrates were told that there was other evidence, and that they ought to have adjourned the case. But my hon. and learned Friend seems to have forgotten that on the 2nd of July the hon. and learned Member for Longford appeared for Dr. Tanner and openly charged the Magistrates with being in a conspiracy against Dr. Tanner with the witnesses who gave evidence against him. He charged them with conspiring to prevent justice being done. I pass no opinion on the conduct of that hon. and learned Gentleman, but I would ask the attention of the House to what actually happened. One witness for Dr. Tanner was called and broke down, utterly failing to establish the innocence of the defendant. Thereupon the Court said that if there were further witnesses the

Court would adjourn, thus doing the very thing which my hon. and learned Friend said they ought to have done. The Court was adjourned from the 2nd to the 26th of July, and since then Dr. Tanner has been in communication with many of his able and accomplished friends in the House, and, among them, with the Member for Bradford, as that right hon Gentleman has told us to-night. It is trifling with the House when it is said of an hon. Member accused of a disgusting offence — it is trifling with the House to say that he had witnesses who could prove that he was not guilty, and declined to call them. Dr. Tanner acknowledged the jurisdiction of the Court, having appeared before it by counsel and solicitor, and called a witness; the House, therefore, will draw its own conclusions as to why the other witnesses were not called. Further, having regard to the character of the language admitted by the Lord Mayor of Dublin to have been used by Dr. Tanner, the Court would not have been justified in taking the protests of a man who had used such language against the testimony of witnesses who had been sworn and cross-examined. My hon. and learned Friend challenges me to pledge my reputation as to a particular view of the law. Well, it does not seem to me that this is the right place for one lawyer to boast or brag of his own opinion or to pledge his reputation; but when the Statute comes to be examined I think a great deal more is to be said for the power of the Justices who had such conduct before them to act upon the Statute than has been suggested. But I decline in this House to express an opinion upon a matter which ought to be discussed and dealt with by a proper legal tribunal upon proper information. It seems to me that, inasmuch as this question may be raised elsewhere in the course of a few days or a few weeks, it would not be right for anyone to pledge his reputation either on one side or on the other in this House.

*MR. REID: Will the Attorney General say whether the Statute has ever been so used since the reign of Edward III.?

*SIR R. WEBSTER: I am not able to make all my observations at the same time. No doubt I ought to have answered the hon. Member for Dumfries first. I know of no case in which the Statute has been so used. On the other hand, I am very glad to know that the instances of such insults offered to Magistrates in the face of the Court are of very rare occurrence indeed. At any rate, the law books I am privileged to consult do not show many such instances. But this is not the proper tribunal for dealing with the case. With characteristic candour the Lord Mayor of Dublin has admitted that if the offence were proved he would not say the sentence was too great. But the Court had the proof before it, and passed a sentence, and it would be improper for this House to try the validity of an Order which might be appealed against next week. My hon. and learned Friend has said that if Dr. Tanner had been willing to give security he would have admitted the jurisdiction. But my hon. and learned Friend will not find a scintilla of authority to show that a man who has obeyed the order of the Court in a criminal case has waived his right to go into the Court of Queen's Bench next day, either by *certiorari* or *habeas corpus*. I do not intend to notice every point which has been raised. But I trust I have addressed myself to the points as to which hon. Members wish that I should say a word. I trust that nothing which has occurred this evening will lead anyone to the conclusion that the Court ought not to deal with the case on the evidence before it. If Magistrates are to listen to the protestations of innocence where no evidence is called, or are afraid to do their duty, there is an end of any *bonâ fide* administration of the law. Even my right hon. Friend will agree with me that the case having been adjourned, and Dr. Tanner, having declined to produce evidence, the Court had no option but to perform its duty, and to do so fearlessly.

MR. A. BLANE (Armagh, S.): I trust that the House will listen to the few words I have to say. We have it admitted that this assault alleged to have been committed on a policeman was not an ordinary assault. It was committed, if at all, while Dr. Tanner was in custody. That must not be forgotten. He had been sentenced to three months' imprisonment by a Resident Magistrate for an offence under the Coercion Act, and while he

was being conveyed to prison it was alleged that he committed this assault. He, therefore, brought himself within the scope of the Prison Act of 1877, and under the rules the Governor of the prison or the Visiting Justices were the proper authority for trying him for the alleged offence. But that did not suit the purposes of the Government. They preferred to allow the term of imprisonment to expire and not to take any proceedings until Dr. Tanner had regained his liberty. I contend that this is an infringement of the Prison Act of 1877, and I cannot understand how any Member of the Government can get up and defend such a scandalous Act. I submit, also, that Dr. Tanner was quite justified in refusing to acknowledge the jurisdiction of the Magistrates.

MR. SCHWANN (Manchester, N.): I wish only to speak as to a question of fact. It has been stated that the language used in Court by the hon. Member for Mid Cork was unusual. I beg entirely to challenge that statement. Only a few weeks ago I was present at a trial of two Members of this House before two Resident Magistrates at Drogheda, and they were defended by Mr. Bodkin, who used towards the Magistrates much the same language as that imputed to Dr. Tanner. Mr. Bodkin stated that in his opinion the Magistrates had the sentence they were to pass already in their pockets, or that they would telegraph to Dublin for it. Therefore, the language that Dr. Tanner had used did not appear to be unusual in Ireland, and the argument based upon that statement falls to the ground.

The House divided :—Ayes 118 ; Noes 174.—(Div. List, No. 268.)

STANDING COMMITTEE ON TRADE &c. — LIGHT RAILWAYS (IRELAND) BILL.

Motion made, and Question proposed, "That the Standing Committee on Trade, &c., do sit and proceed with the Light Railways (Ireland) Bill To-morrow, at One of the o'clock."—(*Mr. Salt.*)

MR. STOREY (Sunderland): I object to that, Sir. It was understood that the Committee of Selection was to nominate a number of Members to be added to the Grand Committee in respect of this Bill. Being absent from the House on account of ill-health at the commencement of the Session, I was not placed on any Grand Committee. I have taken a special interest in this Bill; and the least the Government could have done would have been to have given me, or some other Member for me, the opportunity of laying my views before the Committee. When a Bill comes from a Grand Committee it does not pass through Committee of the whole House, and on the Report stage the privileges of Members are circumscribed. I, therefore, appeal to the Government, and especially to the right hon. Gentleman the Chief Secretary, who, I think, gave us if not an absolute promise at all events a tacit understanding that a certain number of gentlemen should be added to the Committee.

MR. DEPUTY SPEAKER: The Committee of Selection reported the day before yesterday that they had added 15 Members to the Grand Committee. The 15 names are in the Votes.

MR. STOREY: Might I ask what the names are?

MR. DEPUTY SPEAKER: I will read them. Mr. Biggar, Mr. Blane, Mr. Crilly, Mr. Edward Harrington, Mr. Maurice Healy, Mr. Macartney, Mr. Madden, Mr. Marum, Sir Joseph M'Kenna, Mr. Molloy, Colonel Nolan, Mr. O'Hea, Mr. Parnell, Mr. T. W. Russell, and Colonel Saunderson.

MR. STOREY: Well, Sir, I suppose it is too late to object to the names, but I can, at least, resist this Motion, and I shall do so because the names added are those of Irish Members who, with one or two exceptions, act on the principle of getting as much English money as they can. I do not think the Government have treated us quite fairly in this matter.

Mr. TOMLINSON (Preston): I ask you, Sir, whether it is in order for the hon. Member to accuse the Government of having had any share in the nomination of these Members, it being, according to the Standing Orders of this House, the duty of the Committee of Selection to put the names in?

MR. DEPUTY SPEAKER called on Mr. Storey to proceed.

MR. STOREY: Well, Sir, I do not see what point of order that is. I say it is notorious that a number of English

Members have in season and out of season resisted this Bill in the interest of the taxpayers, and the least that could have been done in fairness was that some of these Gentlemen should have been put upon the Committee, so that they might be able there to state their views in regard to the measure. The Bill is of an extremely complicated character. The details are of the essence of it. In its present form it does not lay down any distinct plan upon which the money is to be spent. It may under the Bill be spent in Antrim, where they do not need it, or in Galway where they do. I think we could in the room upstairs give ample reasons why a considerable alteration should be made in the conditions and terms of the measure. I think that in the seclusion of that room we could convince the right hon. Gentleman the Chief Secretary that before he took the money of his constituents in Manchester and agreed to spend it in Ireland, he should define in the Bill how and where he was going to spend it and to what extent as between province and province.

MR. DEPUTY SPEAKER: The hon. Member is now discussing the Amendments. That is not in order.

*MR. W. H. SMITH: Let me appeal to the hon. Gentleman. I do not think it is in order that this Question should now be debated. The Motion is merely an intimation to the House that an arrangement has been made for the Committee to meet to-morrow. The Committee will meet without an order of the House.

MR. STOREY: I will not compete in knowledge or experience with the right hon. Gentleman, but I know that when Mr. Speaker puts a question from the Chair it is possible to debate it. I heard the question put, and I think I can urge reasons against the Motion. I want to appeal to the First Lord of the Treasury and the Chief Secretary. The opponents of that Bill have not been fairly treated. They have not had an opportunity of presenting their views in a quiet and calm Committee upstairs. I wish the Chief Secretary to come to some reasonable arrangement by which there shall be put on the Committee the hon. Member for Bristol, the hon. Member for Lanark, the hon. Member for Spalding, or myself. (*Ironical Cheers.*) There is no reason for cheering when I ask for a little work. I believe that legally I can move that this Debate be now adjourned, and I beg to do so.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Storey.*)

*MR. A. J. BALFOUR: Of course we are anxious that the discussion in the Grand Committee should take place as soon as possible, but if the hon. Member is strongly of opinion that it should be delayed, I shall be ready to postpone the first meeting till next Tuesday. As to the constitution of the Committee, that is not merely technically but substantially outside the control of the Government. It would be a serious and a disastrous thing if the Government were to attempt to interfere with the discretion of the Committee of Selection. I have had no communication with that Committee, and am not a Member of the Grand Committee. If the hon. Gentleman will approach the Committee of Selection and lay his grievance before them, it is possible that some arrangement may be come to by which his demands will be met.

*MR. OSBORNE MORGAN (Denbighshire, E.): As I happen to have some experience in this matter, having acted as Chairman of one of these Grand Committees for the last two years, I may be allowed to support what has fallen from the right hon. Gentleman. The constitution of these Committees rests entirely with the Committee of Selection, and the Government has nothing to do with it.

*COLONEL NOLAN (Galway, N.): When it was proposed to send this Bill to a Grand Committee I objected, on the ground that every opportunity would be taken to cause delay. The Chairman of the Committee was away a day or two, and, therefore, we did not sit yesterday or to-day, and now here is another proposal for delay. I object to the whole tactics of the hon. Member for Sunderland, which are tactics of delay. He has said he believes greatly in the power of talk in Committee. I do not object to his threatening to give us in Committee one long flow of wishy-washy talk, but I do object to his delaying the progress of this Bill. The Committee of Selection have added fifteen Members to the Grand Com-

mittee. They are all Irish Members, and the hon. Member for Storey—[*Laughter*]—I beg pardon, the hon. Member for Sunderland, could not be better represented. My hon. Friend the Member for Cavan objects to all railway locomotion in Ireland, and has gone into the highways and byways to find another Member to support him.

MR. DEPUTY SPEAKER: All this is not relevant to the Motion for adjournment.

*COLONEL NOLAN: Well, Sir, I will drop all this, although it was gone into by the hon. Member for Sunderland.

MR. DEPUTY SPEAKER: The hon. and gallant Member forgets that the hon. Member for Sunderland spoke before the Motion was made.

*COLONEL NOLAN: On the question that the Debate be adjourned I strongly beseech the Government not to give way to this Motion. The hon. Member for Sunderland can effect his object in another way. To-morrow I will move the Committee of Selection to put him on at once, but I want the Committee to meet to-morrow, but if we adjourn the Debate the meeting will be put off until Tuesday. I beg the Government will reconsider their determination and not consent to an adjournment. I for one, as an advocate of the Bill, will use any influence I can with the Committee of Selection and the Trade Committee, to induce them to add the hon. Member for Sunderland to the Committee. I hope there will be no delay. I think the course I propose is the most practical. We are at the end of the Session, and can count our remaining time by days, and I know from my Parliamentary experience that if the Bill is put off for six or seven days it is gone. I think my proposal is the most feasible.

SIR HENRY TYLER rose in his place and claimed to move "That the question be now put," but Mr. Deputy Speaker declined then to put that question.

*MR. OSBORNE MORGAN: I would like to ask, as a question of order, is it necessary to have any order of the House at all on this matter?

MR. DEPUTY SPEAKER: I confess I am not aware that it is, but the Motion has been put from the Chair.

*MR. W. H. SMITH: I beg to ask leave to withdraw the Motion.

COLONEL NOLAN: I object to the Motion being withdrawn.

*MR. W. H. SMITH: I beg leave to withdraw the Motion altogether from the consideration of the House.

MR. DEPUTY SPEAKER: The question is that the Debate be now adjourned. This was moved by the hon. Member for Sunderland, and he must ask leave to withdraw first.

MR. SEXTON (Belfast, W.): Before that Motion is withdrawn I feel it my duty to say that I differ from my hon. and gallant Friend on the immediate question. The Chief Secretary quite correctly said that the Government are in no way responsible for the action of the Committee of Selection, who exercise in this regard wholly independent functions. I take an impartial position in regard to the Bill. I am not anxious for it, and I do not oppose it, but I think the hon. Member for Sunderland has made out a good case. He is a strong opponent of the Bill, on the merits of which strong differences of opinion exist, and I think he is entitled to be on this Committee, which if the Committee is to meet to-morrow he cannot be. The Bill contains complicated details that demand careful study. I have a number of Amendments of a somewhat technical character, which I should be glad to give more consideration to. If the hon. Member would withdraw his Motion for adjournment, and the First Lord would amend his Motion and order the Committee to meet on Tuesday instead of to-morrow, that would give opportunity to consider what representation the hon. Member for Sunderland should have on the Committee.

*MR. W. H. SMITH: I think that is a very reasonable suggestion.

MR. ILLINGWORTH (Bradford): As a member of the Committee of Selection, I should just like to point out that the Committee have no power to make alterations in the Standing Committee except to fill up vacancies that occur from resignation.

*MR. W. H. SMITH: It appears to me that the interval between this and Tuesday will allow of communications passing, and lead, I hope, to an understanding being arrived at. It is not possible for the Government to interfere in the matter; we have no authority to do so. I trust the House will accept

the suggestion of the right hon. Gentleman the Member for West Belfast.

MR. STOREY: I think it is a very reasonable course. In asking leave to withdraw my Motion, I will only say I hope the Government will use their moral influence in favour of some representation of the opposition to the Bill being on the Committee.

Motion for adjournment, by leave, withdrawn.

Original Question again proposed.

MR. SEXTON: I beg to move that Tuesday be substituted for to-morrow.

Amendment proposed, to leave out the word "to-morrow" in order to insert the words "upon Tuesday next."—(*Mr. Sexton.*)

Question proposed, "That the word 'to-morrow' stand part of the Question."

MR. STOREY: No; I think that is not the way of meeting the point. I think the Motion should be withdrawn altogether, because——

*MR. W. H. SMITH: I will withdraw the Motion altogether.

MR. STOREY: What I was going to point out is this: If the Resolution is passed and the Committee of Selection do not see their way to making any change in the Committee, then the Committee will meet in its present form on Tuesday. This I object to, and I desire that the Motion should now be withdrawn.

COLONEL NOLAN: I wish to point out that the hon. Member for Sunderland has not exactly risen at the proper time. He advocated one course, and I advocated one in a diametrically opposite direction. I am sorry to find myself in opposition to the hon. Member, but on this question of Light Railways we must agree to differ, except that I quite agree with him that these Light Railways should be constructed in Galway. My right hon. Friend the Member for West Belfast suggested that the hon. Member for Sunderland should withdraw his Motion, and that the Motion of the First Lord should be put in a modified form. We allowed the hon. Member for Sunderland to withdraw his Motion, we challenged no Division, but he now gets up and objects to the other part of the proposition of my right hon. Friend, which was to balance the other. Certainly I think the hon. Member for Sunderland, having been allowed to withdraw his Motion, ought now to accept the other part of the advice of the right hon. Member for Belfast. We will use any influence we have to get his name added to the Committee; more we cannot do. The only pledge the Members of the Government could give would be as individual Members; but I can see there is an awkwardness about that.

*MR. OSBORNE MORGAN (Denbighshire, E.): This is a very important matter, as bearing upon future action. I feel certain that when once a Bill is referred to the Standing Committee no further order is necessary. Over and over again I, as Chairman of the Committee, have acted on that understanding, and I think it is introducing what may be a dangerous precedent to say it is necessary there should be a further order as to when the Committee should meet. I would suggest, therefore, that the proper course is for the right hon. Gentleman (Mr. W. H. Smith) to withdraw his Motion. As to the constitution of the Committee that is an entirely distinct matter.

*MR. BARING (London): It seems to me some Resolution of the House is necessary, because ever since the Committee on Trade has existed it has sat on Mondays and Thursdays, and a Resolution to the same effect was passed this year.

*MR. OSBORNE MORGAN: Of course the Committee having power *proprio motu* to fix, can also change, the day; there is no difficulty about that.

MR. COSSHAM (Bristol, E.): I have prepared a number of Amendments which I hoped to urge in Committee of the whole House, and which cannot be discussed if the Bill is referred to a Committee upstairs. I think it is unfair that those who have given notice of their objection to details of the measure should be precluded from the opportunity of ventilating their objections.

*MR. W. H. SMITH: Every Amendment of which any hon. Member has given notice on the Paper will be referred to the Committee. I desire to withdraw my Motion.

DR. CLARK (Caithness): This Order is not upon the Paper at all, and I do not know whether it is regular, whether it is convenient or necessary, but I wish to ask if the Motion is withdrawn will

the Government take any steps to have the Committee meet on Tuesday? Otherwise the Committee may meet on Monday and proceed with the Bill before any change is made in the constitution of the Committee. Now there are some Members of the Committee who have paired for the Session, and it can easily be arranged that the Committee shall be supplemented by some of my hon. Friends who are prepared to wait until the end of the Session.

MR. CRAIG (Newcastle-upon-Tyne): There was an agreement at the last meeting of the Committee that Members should only be called together after ample notice, both to allow of time being given to a fair and judicious examination of the Bill and Amendments as well as to allow of Members making their own arrangements. I hope this understanding will be carried out.

MR. CRILLY (Mayo, N.): I hope the Government will resist these attempts at delay. Those hon. Members who have objections to the Bill have had ample time to prepare their Amendments. This Light Railways Bill has been before the House for a considerable period. An attempt is now being made by the hon. Member for Sunderland and his colleagues to defeat the Bill by delays, and I hope the Government will resist such an attempt. If I had my way I would have insisted as one of the new members added to the Committee on Trade on the observance of the notice on the card handed to me to-night in the Post Office, that a meeting of the Committee should be held to-morrow at 1, because the Session is drawing to a close, and if there is any merit in the Bill at all that can only be secured by the Committee proceeding with the Bill strenuously at once. I entirely agree with my right hon. Friend the Lord Mayor of Dublin that as the friends of the Bill have not, perhaps, had time to well consider their Amendments, it is desirable to meet on Tuesday, but I do trust that the Government will resolutely carry the Bill through, disregarding the efforts of my hon. Friends the Members for Sunderland and Cavan, who, I believe, want to kill the Bill for the Session. My desire, and the desire of North Mayo, is that the Bill should pass into law, and little as I like making such appeals, I do make the appeal to the Chief Secretary and the Solicitor General for Ireland to show the strength of their good intentions by using their influence to secure the meeting of the Committee on Tuesday to proceed with the Bill, irrespective of whether my hon. Friends the Members for Sunderland and Cavan have or have not sufficient representation on the Committee, because, so far as I can analyse the disposition of the 15 additional members placed on the Committee, I think they are pretty evenly divided for and against the measure.

MR. PHILIPPS (Lanark, Mid): Is it too late to reconsider the question whether the Bill should be referred to the Committee on Trade at all?

MR. MACARTNEY (Antrim, S.): If the Motion is withdrawn do the Government intend that the Committee should proceed with the Bill on Tuesday or not?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir MICHAEL HICKS BEACH, Bristol, W.): The day for which these Committees are summoned depends not on the Government, but on the Chairman of the Committee. Notices have been given for the Committee to meet to-morrow, but obviously that cannot take place now. If this Motion is withdrawn the result will be, that as the days originally fixed for the meeting of the Committee were Mondays and Thursdays, the Committee would meet *pro formâ* on Monday, and then decide to go on with the consideration of the Bill on Tuesday.

MR. BIGGAR (Cavan, W.): The thing is practically settled in a sensible manner. I understand that the Committee of Selection will try to place upon the Grand Committee a certain number of English Members who are specially interested in the subject, and these will be reasonably prepared to go on with business on Tuesday.

MR. E. HARRINGTON (Kerry, W.): I have not troubled the House for some time, and may be allowed a few words. I wish to put myself right in the position I take. I intend to support the measure, but certainly I do not think that the Radical Members who oppose it are under any animus towards us, and if I were an English Member——

MR. DEPUTY SPEAKER: Order, order! The Question is that "to-morrow" stand part of the Question.

*SIR MICHAEL HICKS BEACH rose in his place and claimed to move "That the Question be now put."

MR. A. O'CONNOR (Donegal, E.): May I ask you, Sir, on a point of procedure, whether this is not the first time any such Question has been put from the Chair; and, whether if that is so, it may not be a precedent to rule all subsequent proceedings in regard to these matters?

MR. DEPUTY SPEAKER: Similar questions have repeatedly been put from the Chair.

Question put, "That the Question be now put."

The House divided:—Ayes 145; Noes 58.—(Div. List, No. 269.)

Question, "That the word 'to-morrow' stand part of the Question," put, and negatived.

Words "upon Tuesday next" inserted.

Main Question, as amended, put, and agreed to.

Ordered—

"That the Standing Committee upon Trade &c., do sit and proceed with the Light Railways (Ireland) Bill upon Tuesday next, at One of the clock."

ORDERS OF THE DAY.

—o—

PRINCE OF WALES'S CHILDREN BILL

(No. 358.)

Considered in Committee.

(In Committee.)

Clause 1.

MR. LABOUCHERE (Northampton): I beg to move an Amendment with regard to this Bill, Clause 1, line 28, to leave out the words "Trustees hereinafter mentioned." Mr. Courtney, strong language has been used by Gentlemen opposite, and by some Gentlemen on this side of the House, against those who oppose this Grant, in pursuance of what we estimate to be our duty. But if this money is to be granted I cannot exactly see why we should interfere between the Prince of Wales and his children and a number of Trustees. We have more confidence than the Government in the Prince of Wales's honour and policy. It seems to me that this proposal involves the idea that if this money were left to the management of the Prince of Wales he would make away with it. We heard some very beautiful sentiments from the right hon. Gentlemen (Mr. W. H. Smith) about the family relations when he brought in this Bill, but when he comes to give effect to his own ideas of family, he actually wishes to make clear that this House is not prepared to trust the parent with the money. I always thought it would be more simple to vote the money directly to the children, or that the money should be voted to the Prince of Wales to be allocated in certain fixed ways amongst the children. But, then, what is the good of Trustees? They are an extra and perfectly unnecessary wheel of the coach. The father is the fitting trustee of the children, and it seems to me that the only plea and reason why, instead of voting the money directly to the children of the Prince of Wales we should vote it to the Prince of Wales, is to recognise in some sort of way his parental authority. His Royal Highness is not a young man. He is almost middle-aged, and this proposal really does seem a gratuitous insult on the part of the Government towards the Prince of Wales. We wish on this side of the House to free ourselves from any notion that we wish to impose such a condition on the Prince of Wales, or that we remotely or distantly imagine that the Prince of Wales is not to be trusted with the money that we vote to his children. It seems to me that those who advocate the passing of these Grants say that the Prince of Wales shall be nominally the holder of this money, but we will put half-a dozen policeman around him to see that he does not make away with it. I think it is more consistent with the respect which this House entertains for the Prince of Wales, and its belief that he is a perfectly honest man, and that he would honestly administer this money, that we should do away entirely with these trustees. Of course, if this Amendment be carried it will be necessary to carry a certain number of consequential Amendments, although I do not think there is likely to be any discussion if this Amendment be carried. This Amendment recognises the Prince of Wales as the fitting guardian and trustee of his children, and objects to the interpolation of "trustees" because

the Government chooses to distrust the honesty of the Prince of Wales.

Amendment proposed, in page 1, line 28, to leave out the words "trustees hereinafter mentioned."—(*Mr. Labouchere.*)

Question put, "That the words proposed to be left out stand part of the clause."

The Committee divided:—Ayes 147; Noes 47.—(Div. List, No. 270.)

*Mr. STOREY (Sunderland): I now move the Amendment which stands in my name, by which I propose to strike out the words "thirty-six" in order to insert the words "twenty-one." I may say that I am quite prepared for the imputation of shabbiness from hon. Members on the other side of the House, or, if not from them, from the organs which represent or misrepresent them in the country. I care no more for imputations of shabbiness than hon. Members opposite care for imputations of wasteful extravagance. I would here venture to remark that we are to-night, or, perhaps, to-morrow, absolutely going to vote more money than Her Majesty has asked for. When Ministers come down and represent that it is necessary, in additfon to the extraordinary large sums voted to support the dignity of the Throne, that more money should be voted, it was originally intended to ask for a sum of £13,000 per annum; but a Committee was appointed, and the result was that £23,000 a year more was asked for. I propose in some degree to remedy that exceedingly improper proposal by reducing the sum asked for to £21,000. I am not unwilling to admit that the elder son of the Prince of Wales should have £10,000 a year, and as the younger Prince would probably feel uncomfortable if he had much less than his brother, I am not unwilling to admit that he should have £8,000 a year. Nor do I object that the Princess just married, and whose happiness we all desire, just as we desire the happiness of every young bride in England, should have £3,000 a year. In that way I get at the sum of £21,000. What I want to ask the Chancellor of the Exchequer is—where is the other £15,000 going to? Is the Prince of Wales to have it? Or is it to be spent for the other young Princesses? If not, what is to be done with it? Is it to be accumulated and invested? If so I entirely resist and repel the notion that out of the public money any sum should be given to be invested and accumulated for future purposes. We live now in troublous days for Royal people. I believe that Napoleon when on the Throne of France invested large sums in English and American securities, so that when the inevitable issue came he might not be without resources. Can it be that our Royal Family think their position so insecure that they, too, wanted to make a bag, that when the inevitable change comes they may not be left without means? If this extra £15,000 is not spent on the Princesses, and if it is not to be spent by the Prince of Wales, and if it is not to be accumulated, what is to become of it? I suggest that the proper thing would be to keep it in the Public Exchequer. It is the people's money. It ought not to be reserved for the probabilities of the future; there ought to be no disposition to make insurance against the future. The ancient Constitutional practice of this country has been, year by year, to meet the necessities of the year, and so also should it be in the case of the Royal Family. I propose, therefore, that instead of paying £36,000 out of the National Exchequer we should pay £20,000. In Clause 2 of the Bill—if I may refer, for the purpose of explanation and elucidation, to further Amendments—I propose to give effect to my contention by providing that the annual sum which the Trustees hold under the Act shall be distributed in a certain statutory manner and not according to the notion of the father or grandmother. There have been cases in history where Kings have blessed favourite sons and cursed those they thought less of—when the money that the people had given for the support of the Royal Family was wasted on certain members of the Royal Family, while others were left in need. Therefore, I propose that the money should not be distributed according to the temporary wish or whim of the Trustees or anyone else, but that it should be distributed amongst the grandchildren of the Queen so as to relieve them from fear as to whether they will receive it or not. I propose that the eldest Prince shall receive five-twelfths of the £21,000; the

second Prince four-twelfths, and the daughters one-twelfth each. In this way we shall guard against anything like a recurrence of that period in history when there was a King's Party and a Prince's Party, as happened in the time of George II., a state of things which might arise if the demise of the Prince of Wales should take place. The inevitable consequence of such a state of things would be that there would be dissensions, and that the Prince would depend upon others for what he received. I say that if this money is to be divided Parliament should say precisely how the division is to be made. Now, why do I fix on this sum of £15,000 to be saved to the public purse? I fix on it because it is almost exactly the sum that is saved at the present moment upon the gifts to the Queen under the Act of 1837. The Report of the Committee shows that between £15,000 and £16,000 a year, which is given for specific purposes, has not been applied to those purposes, but has been, instead, paid into the Privy Purse of the Queen and become her private property. So long as this £15,000 a year is saved, the Government have no right to come to this House and ask for a further Grant in aid. When I made my speech the other night I had the misfortune to be followed by the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone). It was not a misfortune for the House or the country, but it was an extreme misfortune for me, because the right hon. Gentleman's great authority, and influence, and knowledge were all exerted to prove that I was wrong, and that the Government were right. Well, I would put this point—which is extremely germane to the point I am urging—both to the First Lord of the Treasury and the Member for Mid Lothian, that there is no precedent in the whole history of England for the Ministry coming to this House and asking for a grant in aid whilst already the Sovereign had resources.

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I did not catch the point of the hon. Member.

*MR. STOREY: What I say is, I have looked up authorities, and I find that in this country in the whole of the dealings between the King and his subjects on the matter of grants in aid there has never been an application made without a previous statement on the part of the Crown that the resources were exhausted, and that it was necessary to ask for more money. [*A laugh.*] I do not understand that laugh.

*MR. GOSCHEN: No such declaration has been made in recent years.

*MR. STOREY: No, and why? I will ask the right hon. Gentleman whether there has been any declaration made in recent years that the Queen had large savings? I want to know whether any declaration was made in 1882 or 1885, when we put questions to the Government on the subject of the savings on the Civil List. We were told that we have not to inquire into that. But I contend there is a necessity for such an inquiry, and that it is no answer to me to say that there has been no such declaration in recent years. It has been done during the whole of the time of the House of Hanover. The practice prevailed in the time of Elizabeth and in the reign of Charles I. I have here evidence to show that in the time of William III. such declaration was made. In the time before William IV. a demand for money for the support of the younger branches of the Royal Family was always preceded by the statement—

> "Whereas His Majesty is restrained by the laws now in being from making provision for his younger children."

These were the wise days when the King was not permitted to own property, except such as fell to the State when he died. I submit there is no such statement now, because since that unfortunate Act of 1873, it is not impossible for the head of the State to provide for younger children. What I want to point out is, that the object to be attained is the same. The point of view of the people then was "The king has no more money; give him some more; long live the King." What is the point of view now? The Queen comes to us and confesses through her Ministers that she has enormous sums of money.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): No.

*MR. STOREY: I suppose that to the right hon. Gentleman £824,000 is not enormous. It is to me. But I will not

go into figures. I will say a great sum of money.

*Mr. W. H. SMITH: Not great.

*Mr. STOREY: Well, I should like to have it. I will not even insist on "great." It is not necessary to my argument. I will say the Queen has ample resources.

*Mr. W. H. SMITH: No.

*Mr. STOREY: Well, she has resources. If the right hon. Gentleman will get up and tell me that the Queen has no resources, then, Radical as I am, I will vote for the Grant. The other night I objected to the declaration that this demand is founded upon reason. The right hon. Member for Mid Lothian insisted upon it, and told us he was one of the old-fashioned order who stood upon precedent. I am prepared to state this to-night, and without fear of contradiction, that there never was a precedent in the history of England for an application from the Sovereign to Parliament without a preliminary statement, either in the Message itself or in the speech of a Minister, that the Queen had no resources for the purpose. I hold that the Queen at the present time has resources which she may fairly employ for the purpose in view. I was very much rebuked the other night for having made what was said to be a reckless statement about the savings of the Queen. That rebuke came from the noble Lord the Member for Paddington (Lord R. Churchill), and I must say that such an accusation comes with admirable grace from one whose name in the Parliament of 1880 was a synonym for all recklessness of speech and act. I make the same contention now. Until this £824,000 is exhausted there is not, according to the Constitution or precedent, any right in the Crown or any propriety in Ministers to come down to the House and ask for further Grants.

*Mr. SYDNEY GEDGE (Stockport): I rise to order. The hon. Gentleman is arguing that there should be no Grant at all, whereas the question before the Committee is the reduction of the Vote to £21,000.

*Mr. STOREY: Now with regard to this £15,000 or £16,000, I will ask the question again, why should that, instead of being applied to the support of these younger branches of the Royal Family, go into a fund of accumulation. The Chancellor of the Exchequer, when I raised this point the other night, told me, if I looked at the Act of 1837, I should find a distinct declaration that the whole sum of £385,000, clear and certain income, had to be paid to Her Majesty. I have read the Act over and over again, and although I am no lawyer, or because I am no lawyer, I can read the common sense of the Act, and I say there is no such statement whatever in it. First, I must tell the Chancellor of the Exchequer, that Parliament did not give the Queen any money whatever. Parliament had had no experience of Her Majesty. If it had it would have been less jealous. But former Parliaments had had experience of former Sovereigns—experience of waste, extravagance, and constant running into debt—and, therefore, when the new Civil List was granted, not one penny was ordered to be paid to Her Majesty, except the sum of £60,000. The whole of the rest of the money was to be paid to trustees. Clause 2 of the Act says, "That for the support of Her Majesty's household, and of the honour and dignity of the Crown, and for the payment of the charges on the first, second, fourth, and sixth classes in the schedule, it is enacted that there shall be granted to Her Majesty during her life a net yearly revenue of £385,000, and the Lord Treasurer or the Commissioners of the Treasury are hereby authorised on and during every succeeding quarter to cause the said yearly revenue to be issued and applied from time to time, monthly, weekly, or otherwise, for the uses and purposes by this Act appointed."

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The hon. Gentleman has omitted the important words, "Paid to Her Gracious Majesty during her life."

*Mr. STOREY: The right hon. Gentleman cannot suppose I would wilfully omit so obvious a thing as that. There can be no doubt that it is to be paid to Her Majesty during her life, and the clause goes on to show how. It is to be paid to the Trustees.

*Mr. W. H. SMITH: There are no Trustees.

*Mr. STOREY: The only way I can settle it is to read the clause throughout.

The hon. Gentleman again read the clause, down to the words, "The Queen, whom God long preserve."

MR. W. JOHNSTON (Belfast, S.): "Amen."

*MR. STOREY: That rather offensive ejaculation comes from a Loyalist of the North of Ireland.

MR. JOHNSTON: I wish to know, Sir, whether there is anything improper in my saying "Amen" to the wish for the preservation of Her Majesty's life.

THE CHAIRMAN: Let the hon. Member proceed, but I hope that he will be more succinct in his argument.

*MR. STOREY: In view of what has fallen from you, Sir, I will not continue to read the terms of the Act. My opinion is that this clause means that there is to be granted for certain specific purposes £385,000, but that is not to be paid to Her Majesty except as regards the £60,000. The rest is to be retained in the Treasury, and to be paid out at convenient periods for the purposes specified. Then Clause 8 recites absolutely what is to be done with this money. All sums of money shall become due and payable out of the Civil List revenues for any of the purposes of this Act, and be paid in the order and according to the plan herein mentioned—and it being expedient—and I invite the attention of my hon. Friends to the change in the law—to specify the sums to be appropriated to each class, an estimate has been laid before Parliament, and the amount for each class respectively is specified in the schedule of the Act. That means that the money has been appropriated to distinct classes, and for these classes it is to be used. The clause also means, that, given A, B, and C, the money set apart for A is during the year to be spent on A; the sum for B is to be paid for B, and the same with regard to C. Now, the only other clause which I will touch is Clause 9. That enacts that if any surplus be carried forward into the Exchequer, the amount shall be applied in aid of the charges of any other class or charges upon the Civil List revenues, in such manner as may under the circumstances appear to be most convenient. Now, I hope I shall get the assent of the Government to my view of that Clause. Given at the end of the year a saving in A and a deficiency in B, it is legal under this provision to take the saving in A to supply the deficiency in B. But supposing there is not a deficiency in any, what follows? In that case the Act says the surplus may be applied for any charge or charges upon Her Majesty's Civil List revenues in such manner as may, under the circumstances, appear most convenient. I will put a case. Suppose no deficiency in any class. Suppose the Queen has got her £60,000 from the Privy Purse, what charge remains to which the money is to be applied? When I put this case the other night, the noble Lord said, "What prevents the Government from handing it over to the Queen?" I am not concerned to point out any such thing. Here is an Act of Parliament bestowing a revenue and creating a trust. I want to know how, under this Act, you get power to apply the money any way else than as the Act directs, or according to the provisions it contains? The Act contains no directions. Now, I ask, what have they done with this money? They have handed it over year after year to the Queen, for no charges whatever, because money was already applied to meet every expense. What they have done is to go behind the Act of Parliament and increase the Privy Purse without any right to do so. The Privy Purse was fixed at £60,000. The Act of Parliament limits it to that; but, by this sleight-of-hand, successive Governments have increased the Privy Purse from £60,000 to £76,000 per annum for the last 50 years. It was said by the noble Lord the other night that we were imputing embezzlement to Her Majesty, and to successive Governments. The noble Lord is a master of fence, and he knows the prejudice which is created by affixing a bad name to anything. I made, however, no charge of embezzlement, and I should be ashamed if any Member on that side of the House thought that I made any such charge against Her Majesty or her Ministers. The charge I made was that they used the Act of Parliament in the interest of the Crown, and not of the people—that they transferred to the Privy Purse savings which the Privy Purse had no right to receive, and that they should rather have taken this £16,000 or £17,000, and have put it into the Exchequer—either in aid of the

public funds or in satisfaction of those exceptional charges which, in consequence of her large family and of the considerable families of her children, have come on the Queen. If we had the £824,000 standing in the Exchequer, as we should have, there would be none of these demands on Parliament and none of these Debates. The money would have been there to be devoted to Her Majesty and her grandchildren, and we should have been called on for nothing. The right hon. Gentleman the Member for Mid Lothian, our leader, told me the other night that such a sum as I named could not have produced anything like a sufficient sum for the support of the Queen's grandchildren, and I admit it. The £824,000 or the £400,000 savings on Class 6, which I mentioned, would probably not produce a sum sufficient for the grandchildren. But that was not my contention. I dispute the right of any head of the State in England, under the present Constitution, to take the public money in order to make an accumulation. I say that under the ancient Constitutional principle of England, ever since the present Royal Family came to the Throne —a Constitutional principle which should now be insisted upon—there has been no contention on the part of Parliament that out of the public monies granted to Her Majesty she should be able to accumulate sums. The purpose has always been liberally and loyally to bestow sums on His or Her Majesty for the time being, with the intent that they should not be hoarded but Royally spent in supporting the dignity of the country and the honour of the Royal Family. On that ground I object to these accumulations, and make it my argument that, until this £15,000 or £16,000 a year is accounted for, and the £824,000 which has grown out of the accumulation of this £15,000 or £16,000 a year for 40 or 50 years are expended and accounted for, there does not remain in the Crown or its Ministers a right to come to the Representatives of the people and ask for more money. Now I have carried the argument so far, but, entertaining the objection that I still entertain, I do not pretend to state to the House that if they accept my Amendment, that will make the proposal of the Government more palatable to me. I think the original proposal was bad. I think my proposal a little better, and therefore I am ready to accept a compromise. If I cannot get what I want, I will accept a compromise. But I do not say that the proposal will then be more palatable to me than it is now. I am, however, willing that £21,000 should be given instead of £36,000, simply for the sake of peace. I have now stated to the House as clearly as I could my contention that the savings on the Civil List under the Act should not go to the Crown or the Crown's Privy Purse, but should be retained by the First Lord of the Treasury and the Chancellor of the Exchequer, and if expended at all should be expended under the direct orders of Parliament. And I have endeavoured to support that contention by showing that the Act reads so, and that the purposes of the Act should be carried out. If I had that view before, I have been fortified ten-fold in my idea of its truth by reading the terms of the Bill now put into our hands. I can point out to the Committee that Clause 2 of this Bill, for the first time in the history of England since these Grants have been made, states that the Trustees shall hold the annual sum granted under the Act, and any accumulations of that fund. Why is that inserted in the Bill? I will tell the House it is inserted because under the stress of the discussions of last week, the Government recognise that under the Act of 1837 they had no such power. No such power exists in that Act. Therefore they have given the authority in the Bill that the Prince's Trustees should not only have the annual sum, but the accumulated money. I have put my first contention, no doubt, at some length, but still with all the brevity of which I am capable, before the House. I have put it seriously, and if the Front Bench will hold their tongues and let some Gentleman behind them reply to me, I shall be glad to hear any substantial objections to the points I have raised. I beg then, in conclusion, to propose that we should omit the words, "thirty-six," and insert "twenty-one."

Amendment proposed, in page 2, line 1, to leave out the word "thirty-six," in order to insert the word "twenty-one."—(*Mr. Storey.*)

Mr. Storey

Question proposed, "That the word 'thirty-six' stand part of the Clause."

*MR. GOSCHEN: If there has been a little impatience with the latter part of the hon. Member's speech it is no doubt due to the fact that he dealt at considerable length with a point which has been threshed out in a previous Debate, and which has no special bearing upon the Amendment now before the House. The question is, how far we are going over the same ground again that has been traversed in the previous Debate. The hon. Member has utilised the occasion to make another speech on the question of the savings on the Civil List. The senior Member for Northampton has contended that all payments made to the Queen in excess of the £60,000 a year assigned to the Privy Purse have been practically illegal; and the hon. Member's contention is that the Government and the Parliament which originally framed the Civil List Act did not know what they were doing. Now, after 50 years have elapsed, the hon. Member claims to know better what was the intention of the framers of the Act than they knew themselves. It is almost labour lost at this time of day to justify the payments made to the Queen from the year 1838 down to the present time by every Administration, by men belonging to both political Parties, and by the most watchful Chancellors of the Exchequer and Secretaries to the Treasury that ever existed. The hon. Member was perfectly within his right when he moved to reduce the sum payable under this Bill from £36,000 to £21,000, but the argument he has raised with regard to savings ought to be abandoned, looking to the history of the case from 1837 down to the present day. The hon. Member maintains that the charges on the Privy Purse have been discharged by the payment of £60,000 a year, but how does he know that that is the case? It is true that £60,000 is paid to the Privy Purse, but the expenditure of the Privy Purse has often been much larger than £60,000, and it is much larger at the present moment; and it is in aid of the Privy Purse that the savings to which he has alluded have habitually been paid. After all that has been said in previous Debates it is unnecessary to dwell more upon that point. But then the hon. Member wants to know how the £824,000 paid to Her Majesty has been applied. [Mr. STOREY: We want to know.] Why should the hon. Member know? The sum was paid to Her Majesty as Her Majesty's private property, and we have no right to ask as to its application. The hon. Member seems to think that he is the only watchful guardian of the public purse that has existed during the last 50 years, that he alone of all Members of Parliament during the last 50 years has had a proper appreciation of this particular bargain. As the right hon. Member for Mid Lothian has said, we have no right to pry into the expenditure of the Sovereign. The hon. Member knows better; he thinks it is the privilege of a Member of Parliament.

*MR. STOREY: I did not say that, and it is not fair to put it in that way. All I argued was that the Sovereign has never applied to Parliament without stating that she had no more resources.

*MR. GOSCHEN: The hon. Member has claimed that if any application is made for a Grant we are entitled to know the savings of the Sovereign. The hon. Member claims to know what has been the expenditure of the Sovereign, and whether she has properly applied the sums which have been paid in aid of the Privy Purse, according to his views of what is right. The letter from Sir Henry Ponsonby, which the noble Lord the Member for Paddington (Lord R. Churchill) quoted distinctly stated the maximum amount of the savings of the Queen, and after the production of that letter I should have thought hon. Members would scarcely wish to convey exaggerated ideas of Her Majesty's savings. The hon. Member's great point is that there is no precedent of a Sovereign asking for a Grant without stating the necessity of the case, and that there is no provision from which otherwise the Grant might be made. I maintain that during the whole course of the present reign no single instance has occurred in which application has been made to Parliament based upon the absence of a fund for making the provision asked. Whether in the case of the daughters of the Duke of Cambridge, or of the Queen's sons and daughters, the claim has never been rested upon the absence of savings or upon the absence of power in the Crown

to make the provision. The hon. Member still argues the question of savings, although the right hon. Member for Mid Lothian has declared that it is impossible to believe that the Sovereign has saved sufficient to enable her to provide for the children of the Prince of Wales. With regard to the hon. Member's actual Amendment to reduce the amount to be paid to £21,000, the hon. Member first objects to the form in which we propose to deal with the £36,000; he wishes it to be allocated by Parliament in certain fixed proportions. He desires that so many twelfths shall be allotted by Parliament to the sons and so many to the daughters. But the hon. Member not only voted, but told with the hon. Member for Northampton, who strongly contended that Parliament should not interfere at all, and that the whole matter should be left in the hands of the Prince of Wales. Now, the hon. Member entirely discards the view which he previously voted for, and contends that Parliament should retain the matter in its own hands. The hon. Gentleman thinks £36,000 is a great deal too much to grant, and suggests that we should grant £21,000. He would prefer, however, to deal only with the present emergency, and to give £13,000 —namely, £10,000 to Prince Albert Victor and £3,000 to the Princess Louise of Wales, leaving the provision for other children to be settled hereafter. He thinks it is a gratuitous piece of profligacy on the part of the Government when they ask for £36,000. Yes; but we have been accused of shabbiness because we departed from our original proposition. Now, what are the facts? What we propose to grant is a sum which, properly arranged, will provide adequate incomes for the children of His Royal Highness the Prince of Wales. Hon. Members below the Gangway say this sum of £36,000 is far in excess of the original proposition, and, therefore, ought not to be adopted by zealous guardians of the Public Purse. But hon. Members are in error. The hon. Member thinks it would be better for Parliament to keep the matter in its own hands, and he says this Bill is against precedent; but a Committee was appointed to lay down the principle upon which these Grants should be made in future, and the Committee reported that, in order to avoid repeated applications to Parliament and all these painful Debates, it would be desirable to make one arrangement with the Prince of Wales which should last during the present reign, and to give him a certain sum to provide for all his children, so that when once that matter was settled by Parliament further applications would be unnecessary. It is a question for the House to decide whether a lump sum of £36,000 a year to cover provision for all the Prince's children is a fair equivalent for the offer which was originally made. £21,000 would be as a permanent arrangement far below the mark, and would not supply those annuities which the hon. Member himself is not unprepared to give. Then the hon. Member asks how is the matter to be arranged, and whether there are to be accumulations? The general principle of the plan is that instead of giving a varying amount, which might rise to £49,000 a year, Parliament shall give a permanent Grant of £36,000 to meet all contingencies. In the first year the whole of the £36,000 will not be required. Then the hon. Member asks, will the balance be paid over to His Royal Highness the Prince of Wales? Certainly not. It will be held by the Trustees and invested, and form the basis of annuities, and the basis of dowries for Princesses, or other allowances. The calculation is that this sum of £36,000, if fairly invested during the present reign, will provide for all the children of the Prince of Wales. The suggestion is one which the Government adopted from the right hon. Gentleman the Member for Mid Lothian, but for which we do not wish to make him specially responsible, for it appears to us, as it appeared to him, that it is an equitable arrangement which will save much trouble to Parliament and much friction, and which will prevent these unseemly questions arising between the Crown and the Commons.

*MR. CUNINGHAME GRAHAM (Lanark, N.W.): In rising to support the Motion of the hon. Member for Sunderland, I must take exception to the phrase several times used by the Chancellor of the Exchequer. He deprecated these "unseemly and painful" Debates. What, I should like to know, is there of a painful nature connected with these discussions? Laying aside all cant, so

far as it is possible to do so in any assembly of men, I try to look at the question on its own merits, and I think the word "painful" does not at all apply to this question. The Kings and Queens of this country are not Kings and Queens in the ordinary sense. They are the creatures of Parliament. Parliament placed them on the Throne, and has from the beginning regulated the amount of money which they are to take from the country; and in an extreme case, I presume that Parliament could unmake them altogether. I am, therefore, unable to understand the introduction of the phrase as applied to the discussion of the question as to whether the Grant should be £36,000 or £21,000. I do not intervene, as the House well knows, for the purpose of wasting time. I must say that this question of whether we should give a few thousands more or less to the grandchildren of the Queen is not to my mind a question of very great importance. I do not think the British exchequer will suffer greatly from the Grant of £15,000 more or less; but, I do hold again, in direct opposition to the Chancellor of the Exchequer, that, rightly or wrongly, the working classes of the country take a very great interest in this question. The Chancellor of the Exchequer does not, I think, include a large number of the working classes in his constituency; but I think I understood him to say that the working classes generally are not averse to these Grants in principle. Well, it is a very curious thing if that is so, seeing the attitude that has been taken by so many of my hon. Friends who are undoubted representatives of working class constituencies. I appeal to them, and they can testify to the undoubted feeling of the working classes against the whole principle of these Grants. For further corroboration I would draw the attention of the Chancellor of the Exchequer to the votes of confidence received by the hon. Member for the Rhondda Division (Mr. Abraham), and he has spoken in this House on this subject in the name of his constituents. The Chancellor of the Exchequer disavows very strongly all that the hon. Member for Rhondda has said; but I do not admit his claim to be a better exponent of the wishes of the working classes of the United Kingdom than the hon. Member of the miners of Wales. However, leaving this aside, and coming more to what I have alleged before, that, rightly or wrongly, there is a strong feeling against these Grants, I may say we have often seen millions voted with more celerity than this sum will be granted, and I attribute this to the fact, and I know that it is a point of view in which I shall not get many Members to agree with me—I attribute it to the fact that large bodies of the working classes of the kingdom have got to dissociate themselves from these demands for ironclads, for armies, or for official expenditure; their interests do not seem to be touched by these matters, but this question somehow seems to them of great importance. Their attention is much directed to it, and undoubtedly in almost every part of the kingdom very strong expressions of opinion have been given in regard to it. Some very memorable words fell from the right hon. Gentleman the Member for Mid Lothian in reference to this subject; so memorable that I venture to trouble the House with a repetition of them, for it almost seemed as if a revelation had descended upon the right hon. Gentleman, a revelation that I, for one, hail with exceeding joy, and I hope it will be confirmed and pressed inside and outside the House. The broad difference, the right hon. Gentleman said, between members of the Royal Family and other men of gigantic wealth, is that while in the case of the Royal Family large means are associated and even tied to the discharge of public duties, in the case of other wealthy men in the country, they are under no such obligation except to their own consciences. Very memorable words for an ex-Prime Minister; very memorable words from the Leader of the popular Party. I, for one, never have attacked the Queen or any Member of the Royal Family outside the House, and I do not come here, therefore, with any nauseous pretensions of sham loyalty.

THE CHAIRMAN: I must remind the hon. Member that the Question is that £36,000 stand part of the clause.

*MR. CUNINGHAME GRAHAM: Certainly, Sir, I bow to your reminder. The question is whether we shall grant the smaller or the larger sum for the maintenance of the Royal State and the performance of their duties. I was about to urge, and I hope I shall not

be transgressing your ruling, that this question of Royal Grants has not so much importance as many people seem disposed to attach to it, and I, for one, shall support the hon. Member for Sunderland simply and solely because I consider his Motion an expression of public opinion and a protest against a continuance of the state of society as we know it now, a state of society that condemns large bodies of people to misery, semi-starvation, and overwork, while these large sums are voted to the maintenance of a single family. I will not for a moment deny that there may be 20 Members sitting on both sides of the House whose joint incomes are a heavier burden than this same Vote to the Royal Family.

THE CHAIRMAN: Again I must remind the hon. Member that the Question is whether £36,000 shall stand part of the clause.

*MR. CUNINGHAME GRAHAM: I accept your ruling, Sir, and abandon my line of argument. I will merely say this before I conclude. I reiterate that it is simply and solely as a protest that I give my vote in support of the hon. Member for Sunderland, believing that the sum now devoted to the interest of the Royal Family in return for duties which, in my opinion, they do not discharge, is ample, and in the interest of great masses of our overworked, underfed population, I support the protest against the system that tends to increase the feelings of class hatred and class distinction.

MR. LABOUCHERE: The Chancellor of the Exchequer said just now that there never had been expenditure from the Privy Purse of less than £60,000 per annum. Now, certain figures were laid before us in Committee which we were asked to consider private, but it was not stated to the Committee and figures were not laid before the Committee to show that the Privy Purse had ever fallen short of the £60,000 allocated to it. As a matter of fact, it seemed to me, so far as I could deduce conclusions from the figures, that the Privy Purse and the Duchy of Lancaster receipts—for we must put them together—had never in any single year, certainly not in any average year, been expended. Therefore, I do protest against the Chancellor of the Exchequer making this statement to the House which he was not prepared to make and did not make in Committee upstairs, and when his statements might have been verified. I quite agree with the Chancellor of the Exchequer that we ought not to pry into the private savings of Her Majesty. We ought not to ask the exact amount, and no one has asked that; but we ought to have a clear and distinct statement that the amount now paid to the Royal Family, which amounts to £700,000, is not adequate, and that nothing can come from that source for the support of the younger members of the Family. We have not been told that, and we know perfectly well that there have been savings amounting to at least a million. I am not now refering to any figures put before us in Committee. I am referring to the Ponsonby letter, from which, I take it, the amount does not, or did not then, exceed a million—that is to say, about a million. In addition to that, we know perfectly well that, from the fact of the Duchy of Lancaster producing £38,000 per annum in excess of what it did when the Civil List was voted to Her Majesty; and from the fact that £16,000 was the amount turned from other classes to the Privy Purse, then we know that Her Majesty is in receipt of an income of £52,000 more than was deemed sufficient for the requirements of Her Majesty when the Civil List was fixed. The House, by reading this Bill a second time, must be taken to have decided that some sum should be voted to the Prince of Wales for his children, but the question now is what sum? I, who was against voting any amount because I believed there was already sufficient in the hands of the Family, would certainly prefer £21,000 to £36,000. But the Chancellor of the Exchequer appears to regard the hon. Member for Sunderland as a perfect monster of iniquity because he proposes that the amount should be reduced from £36,000 to £21,000. We have made our calculation said the right hon. Gentleman, and £40,000 a year will practically give what we originally asked, and the Chancellor of the Exchequer used this as an argument for not yielding to my hon. Friend. Well, but it is not £40,000. After making all their calculations, no sooner did my right hon. Friend the Member for Mid Lothian move that £36,000 should be substituted

for £40,000, than the Government at once threw over all their calculations and said "Yes, by all means let us make it £36,000"—a figure for which I am bound to say my right hon. Friend the Member for Mid Lothian adduced no sort of reason, and if he had I should have advanced reasons for a further reduction. Now, I take this sum of £21,000, and I find it would enable the Prince to give his eldest son £10,000 a year, his second son £5,000 a year, and his daughters £2,000 a year, which would be very handsome incomes for them all. We live in an age when the worship of the Golden Calf is getting daily more scandalous. We have all sorts of Nitrate kings and men who have become rich—Heaven knows how—becoming the darlings of Society. [*Interruption.*] Have hon. Gentlemen got shares in the Nitrate kingdom? These people raise the level of expenditure, spread abroad their wealth, and get somebody to invite people to their entertainments. [*Interruption*; *Cries of* "Question."] I know how the Nitrate shares were divided. But these worshippers of the Golden Calf are persons with whom I have no sort of sympathy. I think we might take this opportunity of establishing the principle that there is a family for whom we entertain great respect, and it is not necessary to command that respect that they should be excessively rich. I was reading the other day some letters of Sir William Temple. ["Divide!"] I may tell the hon. Member opposite that Sir W. Temple was a gentleman who lived in the time of Charles II., and he was sent over by Charles as Ambassador to Holland. In one of his letters he mentions that he went to visit the Grand Pensionary of Holland. ["Question!"] The hon. Gentleman says "Question!" How can I cope with such ignorance as that? I do not profess to be among the Gods, but the hon. Member reminds me of what Goethe says: "Against stupidity the Gods fight in vain." But to return to my Grand Pensionary. Sir W. Temple called upon the Grand Pensionary, and found him living upon the third storey with a single maid to look after him and open his door. Sir W. Temple contrasted the dignity and real importance of the Grand Pensionary living like that with the tinsel, gaud, and wretched position in Europe of his own master Charles II. I cite this instance to show that it is not necessary to endow heads of families or of States with large possessions in order that they may be regarded with respect. I think the sum proposed by the hon. Member for Sunderland is amply sufficient for Royalty to live not only in decent comfort but with reasonable splendour, and I shall support the proposal.

The Committee divided:—Ayes 201; Noes 62.—(Div. List, No. 271.)

MR. LABOUCHERE: I now wish to insert at the end of this clause words which provide practically that if any son of the Prince of Wales is in receipt of any salary or emolument attached to any office, place, or employment under the Crown, the amount so received shall be deducted from the annual amount now granted. I regret to see that those two Kilkenny cats of Unionism—the right hon. Gentleman the Member for West Birmingham and the noble Lord the Member for Paddington—are not present, because I believe that both of them would have been anxious and eager to support this particular Amendment. The noble Lord the Member for Paddington has been lecturing about the country, and has been prating a good deal about economy, while the right hon. Gentleman the Member for West Birmingham has claimed to be an old Radical, and to have inherited in some special way the mantles both of Cobden and Bright.

An hon. MEMBER: He is here.

MR. LABOUCHERE: Oh! very well. Then I have no doubt I shall have his support, because this happens to be an Amendment of Mr. Bright's. In 1850, as the Committee will no doubt remember, there was a proposal made to grant a sum of £12,000 per annum to the Duke of Cambridge, and on that occasion Mr. Bright put down an Amendment which I have taken for my model, and it is practically the same as the Amendment which stands in my name. Mr. Bright said this—

"Let us at least arrange that this annuity of £12,000 shall be all that the Duke shall receive in all circumstances. Many persons in receipt of pensions have allowed them to be merged in the salaries of their offices, and why should not this principle be applied to the Duke of Cambridge?"

Now His Royal Highness has occupied places, the emoluments of which have been added to the £12,000 per annum, and he has been permitted as a Royal Prince to draw large official salaries. The same rule has been followed in the case of the Prince of Wales, who is now colonel of a regiment for which he receives £1,500 per annum. The Duke of Connaught, too, enjoys a high position in the Army, while the Duke of Edinburgh has a high position in the Navy, and both receive large salaries. It seems to me that while we hold that the Princes of the Royal Family should have some adequate provision made for them, we are not prepared to say that they should do nothing for it. I believe that they are anxious to do something for the large sums which they receive, and the object of my Amendment is to recognise that desire on their part, and to provide that in the case of their occupying some place of emolument, the emolument they receive shall be merged in the amount of the annuity voted for them. As I have said before, I have the authority of Mr. Bright for this Amendment. We are told that we are getting more democratic every day. Do not let us go back, and do not let us be behind the Parliament of 1850. At that time there was only a majority of 59 against the proposal of Mr. Bright, and I do trust that this Committee, by the vote which it is about to give, will agree that this is a fair and reasonable proposal which I am making.

Amendment proposed, in page 2, line 3, after the word "preserve," to insert the words—

"Provided that, in case any son of His Royal Highness the Prince of Wales shall at any time be in receipt of any sum or sums of money by way of salary or emolument attached to any office, place, or employment he may hold under the Crown, the whole amount of such sum or sums so received shall be deducted from the annual amount now granted, so long as the said salary or emolument shall be enjoyed."—(*Mr. Labouchere.*)

Question proposed, "That those words be there inserted."

*Mr. W. H. SMITH: I will only say a very few words in respect to this Amendment. It will be felt by the House and the country that it is very much to the advantage of the House and the nation that the Royal Princes should be employed in the Public Service, and they should be paid those sums which are befitting for the posts they occupy, and which, so far as I know, very rarely exceed the expense to which officers are put in the discharge of their duties. No greater misfortune could happen to the country than that these Princes should be induced, from any influence brought to bear on them, not to accept employment in the Public Service, because such employment qualifies them for the higher and more important duties which devolve upon them later in life.

Mr. STOREY: Even supposing it is desirable that the Princes should enter the Public Service, why should they be treated differently from other public servants? If they take the pay attached to an office they ought to give up their pensions, in the same way as Ministers and other persons are required to do in the like case. But I join issue with the right hon. Gentleman, and say that, so far from being advantageous, it cannot but be of great disadvantage that those Princes should enter the Public Service. We have seen one Royal Prince after another entering the Public Service, and instead of attaining, after years of great anxiety and labour, the position which other men attain in that way, they are pitched into positions far above their deserts, without any advantage to the country. I am not afraid to give instances. Who believes that the Duke of Edinburgh, if he had been anybody else but a Royal Duke, would have been made an Admiral at the time he obtained that rank? Who believes that the Duke of Connaught, for serving in the second line at Tel-el-Kebir, would have been specially thanked by Parliament if he had not been the Duke of Connaught? For winning the paltry action of Tel-el-Kebir nine General Officers were thanked, about as many as were thanked for winning the Battle of Waterloo. The Duke of Connaught has since received one of the principal commands in India at a salary of about £5,000 a year and huge perquisites, thereby getting a position which ought to have been filled by some worthy veteran; and it may be that even in this House there are worthy veterans who are suffering from the injustice of this system. If the wholesome rule that the pension should be deducted from the

salary had operated in the case of His Royal Highness the present Commander-in-Chief of the Army at home we should long ago have had a change that is desirable from many points of view. I do not believe that the addition of Royal personages to the great Services of the country has ever been of any use to the country, but it has many a time been productive of the greatest harm. I, therefore, beg to support the Amendment.

The Committee divided:—Ayes 54; Noes 188.—(Div. List, No. 272.)

It being midnight, the Chairman left the Chair to make his Report to the House.

Mr. Speaker resumed the Chair.

Committee report Progress; to sit again to-morrow.

POST OFFICE SITES [EXPENSES].

Resolution reported—

"That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of all costs, charges, and expenses incurred by the Postmaster General in carrying into effect any Act of the present Session, to authorise the transfer of the site of the Coldbath Fields Prison, in the County of Middlesex, to Her Majesty's Postmaster General."

Resolution agreed to.

MARRIAGES (BASUTOLAND, &c.) BILL [LORDS]. (No. 352.)

As amended, considered; to be read the third time to-morrow.

TECHNICAL INSTRUCTION BILL.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): Sir, I hope the House will pardon me for saying a few words in moving the Second Reading of this Bill. It deals with a question the importanec of which is felt in every quarter of the House and in all the industrial centres of this country. We have only to look at the munificent gifts of the City Companies in furtherance of technical education and the enormous efforts that have been made in furtherance of that object, to see the vast interest which is felt in the subject. This Bill is the outcome of the efforts to solve difficulties at which we have been labouring for two years, and it is because we have failed to reconcile the interests of Board and Voluntary Schools that I propose the Bill in its present form. The Bill is simple in its character, and is to give the Local Authority power to rate for the purpose of technical education. The Local Authorities will be the County Councils, the Borough Councils, and Urban and Rural Sanitary Authorities. It also provides two limitations which hon. Members will observe in the early part of the Bill. The first limit is in regard to pupils receiving instruction in the obligatory and standard subjects in elementary and primary schools, and the other has reference to the maximum rate which may be levied under it. I do beg hon. Members to remember that on my side of the House, at all events, there is very grave objection indeed to increasing local burdens. For myself, I believe, having studied the question, that an enormous amount of good will be done under this Bill in furthering technical education, if only to the extent of a penny rate. There is an important proviso in Clause 31, which provides that the Local Authority may appoint a Committee for the purpose of working out this plan. The Committee is to consist wholly or partly of members of the Local Authority. Of course, it is right that this Local Authority should be represented in the interests of the ratepayers; but it is hoped, if this Bill become law, that this Local Committee will also be composed of members who are strongly interested in technical education in our industrial centres and large towns. This Local Committee would be also empowered to appoint sub or minor Committees to carry out all the purposes of the Act; that is to say, where the Local Authority decides to take over any existing schools, or institutions, or science schools for the purpose of this Act, for it is desired, where possible, to avoid any expenditure on new buildings. I apprehend that this system of Committees will work in this way—that where the Local Authorities decide to apply this Act in regard to any institution, that such institution will be strongly represented on the Local Committee, which will really combine

the representatives of the ratepayers and the Local Committee of Managers for the purpose of carrying out the objects of the technical school or institution. Where the Bill is applied to a Board or Voluntary School for the purpose of establishing evening technical schools or classes, I apprehend that the managers of the Board School and voluntary school will be represented on the Local Committee. I should like to put in a very earnest plea on behalf of this Bill, if only for the enormous impetus it must give for the introduction of evening continuation schools and classes in this country. I believe that the course of instruction which this Bill will initiate will be most popular, and that the evening schools and classes in our large industrial centres will be of enormous advantage to the various schemes of technical education. I know that one objection which will be made to this proposal is that it does not cover the whole ground, and that it does not deal with technical education in elementary schools. If hon. Members read the Report of the Royal Commission and the very careful Report of the London School Board, they will find that the curriculum in those schools is such as to leave very little available time for technical instruction, and this margin will be still further reduced by certain provisions of the New Code, which have been temporarily withdrawn, but which I hope will come into active operation next year. One other objection, I am aware, will be raised—that the Bill does not make the School Board the Rating Authority. I am prepared to say at once that any such proposal would be fatal to this Bill. It would be to again tread upon ground which had already proved so hazardous in endeavouring to promote the solution of this difficult and interesting question. If the School Board were to be the Rating Authority under this Bill, something like 9,000,000 of the population of England and Wales, who are not represented at all upon the School Boards, would be shut out at once from the scope of the Bill. I am not going to detain the House longer. I deeply regret that the time at my disposal is so short, and that I can do so little justice to the subject. But, as regards this question of the School Board, I hope hon. Members opposite will be merciful to us in regard to it. This question has now been before the House for two years, and I would remind the House, for example, that we have lately dealt with the question of intermediate education in Wales to the satisfaction of both sides of the House, and, Sir, I would say to hon. Members who feel strongly on the question of School Boards that in that Bill we have introduced the principle of a regular authority for educational purposes entirely outside the scope of the School Boards. I will not further detain the House, and will only commend the measure to the earnest consideration of the House in the hope that it may be so dealt with as to become a sound and beneficial measure.

*Mr. DIXON (Birmingham, Edgbaston): Considering the interest I have for many years taken in this question, I hope the House will allow me the opportunity of stating the reasons why I feel compelled to oppose this measure.

*Mr. SPEAKER: Order, order! I understand the hon. Gentleman to oppose the Bill, and in that case the measure cannot be further proceeded with at the present moment.

The Debate stood adjourned.

Debate to be resumed upon Monday next.

TRUST FUNDS INVESTMENT BILL (No. 361.)

Lords Amendments agreed to.

HAND-LOOM WEAVERS (IRELAND) BILL (No. 15.)

Order for Second Reading read, and discharged.

Bill withdrawn.

MOTION.

COUNTY COURTS ACT (1888) AMENDMENT BILL.

On Motion of Mr. Neville, Bill to amend "The County Courts Act, 1888," ordered to be brought in by Mr. Neville, Mr. Warmington, and Mr. Atherley-Jones.

Bill presented and read first time. [Bill 362.]

House adjourned at twenty-five minutes after Twelve o'clock.

HANSARD'S
PARLIAMENTARY DEBATES.

No. 2.] SEVENTH VOLUME OF SESSION 1889. [AUGUST 10.

HOUSE OF LORDS,

Friday, 2nd August, 1889.

The Earl of MORLEY sat Speaker.

PARLIAMENTARY AGENTS.

Rules to be observed by the Officers of the House, and by all Parliamentary Agents and Solictors engaged in prosecuting proceedings in the House of Lords upon any Petition or Bill; considered and amended, and to be printed as amended. (No. 206.)

MERCHANT SHIPPING ACTS AMENDMENT BILL. (No. 191.)

SECOND READING.

Order of the Day for the Second Reading read.

LORD BALFOUR: My Lords, I need detain you but a few minutes in moving the Second Reading of this Bill. It is really of the nature of an omnibus Bill for certain very small and simple but very necessary Amendments of the Merchant Shipping Act of 1854. The chief Amendment which it makes is to restore the law in regard to one particular point to what it has been thought to be for 20 years until a case was brought by an appeal to this House in the month of May last, when by the unanimous decision of the Lords present it appeared that the state of the law was not what for that long period it had been supposed to be. The point was this: For more than 20 years it has been the custom for the captain of a ship when in a foreign port to give a bill of exchange upon the owners of the vessel whereby he thought he could give a good security for the purchase of any necessaries which might be required for the use of the ship or the crew while in a foreign port. Your Lordships will see that if the captain can pledge the value of the vessel in security by means of a bill of exchange that bill would, of course, very easily be discounted upon reasonable terms, and the security would be undoubted. For 20 years, as I have told your Lordships, it was considered that it was really the law that the master could pledge his owner's credit in this way. All the Judges sitting in the Court of Admiralty, one after the other, have given effect to the law as thus stated—Dr. Lusbington, Sir Robert Phillimore, Mr. Justice Butt, and Sir James Hannen. Upon appeal to this House that was declared not to be the effect of certain clauses in the Merchant Shipping Act of 1854. It is, I think, obviously a reasonable Amendment. It is asked for with the unanimous voice of the whole shipping community. The other clauses of the Bill are few in number and are simple. The second clause makes it clear that when seamen are paid off in foreign parts they are to receive their wages according to the actual rate of exchange. A practice has grown up in recent years of making a contract that when seamen are so paid off they are to be paid according to a fixed rate of exchange. Circular after circular has been issued by the Board of Trade warning the men that this provision in their contract is likely to operate very greatly to their disadvantage, but they do not appreciate the importance of it, and it is found necessary to make the practice contrary to law. Another clause in this Bill applies to all passenger ships, however propelled, the right of the Board of Trade to survey them. Up to the present time that right is only ex-

tended to ships propelled by steam, and as the propelling of ships by electricity is a new invention, the terms of the Merchant Shipping Act of 1854 do not cover the case of ships propelled by electricity. This is an Amendment that is obviously necessary in the public safety, and can, I think, give rise to no dispute. I have been, I may mention to your Lordships, delaying the progress of another Bill amending the Merchant Shipping Act of 1854—that which bears the title of "The Advance Notes to Seamen Bill," which has already been through a Grand Committee—for the purpose of putting the clauses which are now contained in that Bill into this Bill, and thereby avoiding having two Bills amending the same Act passing through at the same time. I propose, if your Lordships give this Bill a Second Reading, to refer it to the Committee which deals with Bills relating to law. I now beg to move that this Bill be read a second time.

Bill read 2ª (according to order), and committed to the Standing Committee for Bills relating to Law, &c.

POOR LAW BILL (No. 195.)

SECOND READING.

Order of the Day for the Second Reading read.

*LORD BALFOUR: I ask your Lordships to allow me to move this Bill on behalf of the noble Lord, Viscount Torrington. It is not by any means a long Bill or one difficult to understand. The first clause has reference to making certain provision for the case of children who, having been deserted by their parents, are brought up at the expense of the Guardians of the Poor. At the present time there is no sufficient or adequate protection for the interests of the children against being handed over to the care of their relatives or guardians if those relatives or guardians are obviously unfit to take charge of them. This Bill in no sense goes over the same ground as that which was the subject of discussion in your Lordships' House a few days ago, because before this Bill takes effect it is a condition precedent that the child concerned must be deserted by the parent, or must have been the subject of an immoral assault. The object of the first clause of the Bill is to extend the legal protection of the Guardians in the case of boys until they are 16 years of age, and in the case of girls until they are 18 years of age. There is obvious reason, in the case of girls, why the protection should be extended a year or two longer at that dangerous age. Your Lordships will, I think, see that there is no likelihood of the Guardians being unduly anxious to maintain the children at the expense of the rates if those who would otherwise have to maintain them are of sufficient character to discharge their duty; but, if any dispute arises, there are provisions in this clause whereby a Court of Summary Jurisdiction may decide between the parties upon any case brought before them. The second clause of the Bill codifies, and in some respects simplifies, the conditions under which money can be borrowed for permanent works by Poor Law Authorities, subject, of course, always to the discretion and approval of the Local Government Board. The third clause of the Bill entitles the Asylums Board to receive patients who are suffering from diphtheria. According to the present state of the law, they can receive patients suffering from smallpox or fever, and a legal difficulty has been raised as to whether diphtheria properly comes under the term "fever." Another clause of the Bill entitles the Asylums Board to let for hire ambulances for taking patients who are suffering from fever from one place to another, even although they are not going to the hospitals under the Asylums Board. It is obviously for the public advantage that carriages which are used for fever patients should be used for no other purpose, and the ratepayers will not be in any way put to undue expense, if, as is provided by this Bill, the Asylums Board make reasonable charges for the services which they thus render. The Bill contains no other provisions than those which I have mentioned, and I ask your Lordships to read it a second time.

Moved, "That the Bill be now read 2ª."

*LORD NORTON: My Lords, I cannot pretend to know anything about this Bill, which has just come from the Commons, but I think the noble Lord should make a little further explanation. It seems to me that Bills on the same subject are started by different persons,

some by Government and some by individual philanthropists or theorists of various kinds in the Lower House, while that House is occupied, or at least excited by more attractive subjects, and passed with very little connection or correspondence one with another. Here is a Bill, the first clause of which gives the Guardians power to deal with deserted children, and to take care of them till the age of 16 and 18. It seems to have occurred to the noble Lord who moved the Second Reading that this stands much on the same ground with another Bill now before us, called the Bill for the Better Protection of Children, which enables a Court of Justice to hand over a child abandoned by his parents to relations or to persons to take charge of it. The noble Lord said the two Bills were distinct, because in the Bill for the Better Protection of Children, or as it was first called the "Cruelty to Children Prevention Bill," the condition precedent was abandonment by the parent, whereas the condition precedent in this Bill is desertion by the parent. So far as there is a difference between abandonment and desertion, I do see some little distinction; but it really does seem to me that the Bills are so much of the same nature that they ought to be embodied in one measure. If the law on a subject of this sort is scattered about in different statutes, it is most confusing to Magistrates. Moreover, I would ask the noble Lord whether the Poor Law at this moment does not provide for Boards of Guardians taking charge of deserted children. I would also ask the noble Lord what would become of those children of whom the Boards of Guardians take charge, when they turn them out of doors? There is no provision whatever for the care of the children, or the placing them out in industries, or the putting them in the way of earning their livelihood. The method adopted by this Bill is similar to that which is contained in the other Bill before your Lordships at this moment—namely, that if there is found out to have been a total mistake the Magistrate may hand the child back to his parents. That is a very rough way of dealing. But what I think most important is for the noble Lord to say why these two Bills are not incorporated together into one Bill. I suppose one has been introduced by the Government and the other by some philanthropic individual in the Lower House; but they certainly deal with the same subject, and there is a very great mischief in having two Bills on the same subject.

*LORD BALFOUR: I can only speak again by the indulgence of the House; but in answer to the question the noble Lord has raised, I can assure him that there is really no comparison at all between this Bill and The Adoption of Children Bill to which he refers. That Bill is not before Parliament just now, having been either withdrawn from the cognisance of or rejected by this House. I am not quite sure which; but that Bill proceeded entirely upon different lines.

*LORD NORTON: I beg the noble Lord's pardon, but the Bill I referred to was intituled The Cruelty to Children Prevention Bill, and is now intituled The Protection of Children Bill.

*LORD BALFOUR: This Bill is entirely different from that one, and has nothing at all to do with it, and does not cover the same ground. The noble Lord is under a misapprehension when he says that the law at the present time is adequate. The law at the present time is this: that no matter what has been the condition of the parent, no matter how completely a parent has deserted a child or left it to the charge of the Poor Law Authorities, the parent can at any time come to the Poor Law Authorities and claim that the child shall be handed over to him. Numerous instances occur of this sort of thing happening: a dissolute parent absolutely deserts his child and it is maintained for years by the Board of Guardians at the expense of the ratepayers; as soon as that boy or girl comes to be of an age when his or her labour may be of use to the parent, or when in some way or other the parent can make money out of the child, then the parent comes to the Board of Guardians and demands that the child should be restored to him. Now, I venture to think that that is an obviously wrong and unfair thing in the interests of the child and in the interests of the State. If parents voluntarily discharge themselves of their obligations, and desert their children for a long period of years, and remain of such a character as to make it

distinctly against the best interests of the child that it should be handed over to them, I do not think it an extravagant thing that the law should put the presumption the other way from what it is at the present time, and say that that child shall remain under the care of the Board of Guardians. If the noble Lord will look at the first clause of the Bill he will see that every reasonable care is taken to make sure that if the parent or Guardians can make out a proper case in his or their behalf, the child shall be handed over. I think it is almost certain that the noble Lord cannot have read the Bill before he came into the House, or he would not have made the observation which he did with regard to it. I assure him that under the existing law the parent, however unfit he may be, can claim to take care of the child and claim to have it handed over to him. I think the noble Lord will see if a mother deserts her daughter, and for eight or ten years that daughter is brought up at the expense of the Board of Guardians, and the mother remains, as some unfortunately do, of dissolute and abandoned habits, that just at the age of 16 or 17 it is obviously of the greatest possible disadvantage to the girl that she should be handed back to the care of the mother. This Bill does not pretend to cover the whole ground of the powers of Boards of Guardians; it is only an amending Bill, and the Board of Guardians will have the same power in regard to the children that they have under the General Law of seeing that they get situations, and of, so to speak, apprenticing them and of looking after them for the earlier years of their life. The Bill does not profess to cover the whole ground, but what it does do is this—it enables Boards of Guardians to make good their claim to children who have been deserted, and to take of them in the way that they would if they had been under their care in district schools as orphans or without any parental relationship at all. I hope with that explanation the noble Lord will be satisfied and will allow the Bill to be read a second time.

EARL FORTESCUE: My Lords, having had many years experience as a Chairman of a Board of Guardians, I must be allowed to say that I think it is very desirable that children should be protected against the evil authority and influence of dissolute parents, who fulfil none of the duties of a parent towards them during their tender age; but who, as the noble Lord has just said, intervene at an age when the child, having almost ceased to be a child, becomes in some way a source of profit or advantage to them. I think that all reasonable precaution is taken against an abuse of this power, because a Court of Summary Jurisdiction, if satisfied on the complaint made by a parent that the child has not been maintained by the Guardians, or has not been deserted by the parent, or that it is for the benefit of the child that it should be either permanently or temporarily under the control of the parent, may make an order accordingly. It seems to me really that all reasonable security against abuse is given in that first clause, and that it is a power which will generally be used by Guardians with advantage to the children, and with advantage to the community to which those children belong.

Motion agreed to.

Bill read 2ª accordingly, and committed to a Committee of the Whole House on Thursday next.

MERCHANT SHIPPING TONNAGE BILL (No. 174.)

House in Committee (on Re-commitment) (according to order): Bill reported without further Amendment, and to be read 3ª on Tuesday next.

SETTLED LANDS ACT AMENDMENT BILL (No. 203.)

SECOND READING.

Order of the Day for the Second Reading read.

LORD MACNAGHTEN: My Lords, the object of this Bill is to introduce a small Amendment into the Settled Lands Act of 1882. It proposes to confer on the owners of settled land power to insert in building leases an option of purchase to be exercised within a limited time. It is a very small change, but I believe it will be found useful. I know that its absence has been found inconvenient in several cases, and, therefore, I ask your Lordships to allow the Bill to be read a second time.

Bill read 2ª (according to Order), and committed to a Committee of the Whole House on Monday next.

COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Report from, That the Committee have added the Lord Balfour to the Standing Committee for Bills relating to Law, &c., for the consideration of the Merchant Shipping Acts Amendment Bill read, and ordered to lie on the Table.

House adjourned at Five o'clock, to Monday next, a quarter past Four o'clock.

HOUSE OF COMMONS,

Friday, 2nd August, 1889.

QUESTIONS.

IRELAND—NON-PAYMENT OF POOR RATE.

MR. BLANE (Armagh, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland how many inhabitant householders in Gweedore, County Donegal, who are rated under £4 5s., are objected to in the lists of voters by the clerk of Dunfanaghy Union, by reason of non-payment of poor rate, for which the landlord is liable under the 1st and 2nd Vic., chapter 56, as immediate lessor; if any efforts have been made to obtain payment from the landlords before causing the disfranchisement of the tenants; and, if the Local Government Board will take the matter into consideration?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I find that it will take a few days to obtain the information necessary to enable me to answer this question. I must therefore ask the hon. Member to postpone the question until Tuesday, or any subsequent day.

THE OLPHERT ESTATE.

MR. BLANE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland how many tenants there are on the estate of Mr. Wybrants Olphert, County Donegal; how many of these have had a fair rent fixed in Court; and how many have had a fair rent, out of Court, under pressure of circumstances?

MR. A. J. BALFOUR: I understand that on the estate of Mr. Wybrants Olphert, County Donegal, there are 450 tenants. Of these, 320 have had a fair rent fixed in Court and 40 out of Court. But it appears not under pressure, as alleged. The remaining 90 tenants had served originating notices to have fair rents fixed, but failed to appear when their cases were called in Court.

In reply to a further question by Mr. BLANE,

MR. A. J. BALFOUR said: I do not think that any of the tenants were prevented from appearing by the action of Mr. Olphert.

MR. MAHONY (Meath, N.): Is the right hon. Gentleman aware that a number of the tenants have been evicted because they were unable to appear in Court?

MR. A. J. BALFOUR: No, Sir; and if they have been evicted I am afraid it must have been their own fault.

CHARGE OF ASSAULT AGAINST AN ORANGEMAN.

MR. BLANE: I beg to ask the Chief Secretary for Ireland whether he is aware that a summons was issued on the 22nd day of July 1889, at Keady, in the County of Armagh, wherein a Catholic named Bernard Fagan charged an Orangeman named William Morrison with assaulting and beating him on the evening of the 12th July last, and that at the Petty Sessions held at Keady, in County Armagh, on the 25th instant, Captain Preston, R.M., the presiding Magistrate, refused to hear complainant, although both plaintiff and defendant were present and represented by their respective solicitors; and whether this is the same Captain Preston who was removed some time ago from Armagh for partiality to Messrs Warnock and Bell, who were charged with stabbing two Catholics near Armagh?

MR. A. J. BALFOUR: It appears that the facts are not accurately represented in the question. The presiding Magistrate did not refuse to hear the complainant. The case in question formed part of other cases in which Fagan was a defendant, and which were unavoidably adjourned. The District

Inspector supported by Fagan's solicitor accordingly applied that this case should likewise be adjourned. The Magistrates sitting on the Bench unanimously granted it. There is no foundation for the allegation contained in the second paragraph.

COLOUR BLINDNESS AMONG SEAMEN.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the President of the Board of Trade whether it is the case, as recently stated in the *Daily News*, that Government have appointed a Departmental Committee to investigate the subject of colour blindness among the seamen of the Mercantile Marine; and, if this be so, whether the Report of the Committee will be laid upon the Table of the House before the end of this Session?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The Board of Trade have referred the subject of colour blindness among seamen to a Departmental Committee, which will have scientific assistance in its inquiries into the matter. It will not be possible for the Report of the Committee to be laid on the Table of the House before the end of this Session.

DR. FARQUHARSON: I beg to give notice that I will take an early opportunity next Session of calling attention to this question, and to one or two other important questions connected with the Mercantile Marine.

MR. CECIL ROCHE, R.M.

MR. FLYNN (Cork, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he has yet seen the reports in the Cork and Kerry papers of the proceedings at Killarney Courthouse whilst a case was at hearing, during which Mr. Moriarty, the defendant's solicitor, was turned out of Court by Mr. Cecil Roche, Resident Magistrate; if he will state whether District Inspector Gray had any right to interpose a statement as to what a policeman told him, before the defendant's solicitor had finished with the witness; whether the latter was right in objecting to the Inspector doing so; was Mr. Roche, the Magistrate, right in preventing Mr. Moriarty from making this objection; and, in view of the circumstances of the case, will he order full inquiries to be made into the whole proceedings?

MR. A. J. BALFOUR: The newspapers do not, I understand, contain a full report of these proceedings. There were two solicitors for the defence—Mr. Colles and Mr. Moriarty. The witness was at the time of the incident not in the hands of either of these solicitors, but in the hands of the District Inspector who was prosecuting. The District Inspector was obliged to state his reasons for requesting that the witness's words should be taken down *verbatim*, and was proceeding to do so, when Mr. Moriarty interrupted him in a most violent manner, and continued to do so, although warned by the presiding Magistrate that the District Inspector was addressing the Court, and was perfectly in order. Mr. Moriarty defied the order of the Court, and was accordingly removed.

MR. FLYNN: Was not Mr. Moriarty within his legal right in objecting to the District Inspector interposing a statement during the examination of a witness?

MR. A. J. BALFOUR: Mr. Moriarty may have been justified in making observations upon the action of the District Inspector, but what he was not justified in doing was, when the Court ruled that the Inspector was in order, in persisting in violently interrupting the proceedings.

MR. FLYNN: May I ask the right hon. Gentleman if Mr. Cecil Roche is a magistrate of "whose legal knowledge and experience the Lord Lieutenant is satisfied."

MR. A. J. BALFOUR: Yes, Sir; that is so.

ARMY CONTRACTS.

MR. HANBURY (Preston): I beg to ask the Secretary of State for War whether Captain Stackpool paid an unexpected visit to Lincoln Barracks on 17th July, and when the contractor brought the meat into barracks examined and condemned it; what was the name of the contractor and the price per pound of the meat; what penalty is inflicted on the contractor in such cases; and whether, a contractor having undertaken to supply good meat at a certain price, the authorities have the power, and exercise it, to purchase meat of the proper quality and charge him with the difference?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): On the occasion referred to the meat was condemned as bull beef. The contractor was Mr. J. Gillett. It is not customary to state publicly the contract prices; but the price under this contract was about the average.

MR. HANBURY: What is the average?

MR. E. STANHOPE: That is just what it is not customary to state publicly. In this case the contractor is liable for the inspector's travelling expenses and also for any loss incurred in replacing the rejected meat. The authorities do possess and exercise the power referred to in the last clause of the question.

SOCIALIST MEETINGS.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Secretary of State for the Home Department if it is a fact that meetings of Socialists have been suppressed in Archer Street, Westbourne Grove, by the police; if it is a fact that religious meetings are held on the same spot and are not disturbed; if any charge of riot, intimidation, or obstruction has been brought against the promoters of the aforesaid Socialist meetings; and if any of the householders in the district have complained of these meetings?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am informed by the Commissioner of Police that two meetings of Socialists were held, or attempted to be held, near Archer Street. As such meetings caused obstruction and disorder in the thoroughfare, the police dispersed the first meeting and moved on those who attempted to hold the second. Small religious meetings, not causing obstruction or disorder, have been held at the same place for years, but latterly I am informed that they have been discontinued owing to the action of the Socialists. The police did not bring any charges against the Socialists, as the meetings dispersed quietly. There has been no complaint from the householders. The police must judge, according to the circumstances of each case, whether obstruction is caused or not.

THE RIVER LEE.

SIR JOHN COLOMB (Tower Hamlets, Bow): I beg to ask the President of the Local Government Board whether his attention has been recently drawn to the foul condition of the River Lee, and to the fact that a boy's death from typhoid fever has been ascribed as the result of bathing in this pestilential water; whether the West Ham Corporation or the Lee Conservancy, or both, are to blame; and whether he will at once take steps necessary to enforce the abatement of a great nuisance?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The Local Government Board yesterday received a letter from the Poplar Board of Works containing a statement to the effect of that in the first part of my hon. Friend's question, but I have no further information as to the facts. I am not in a position to say whether the West Ham Corporation or the Lee Conservancy, or both, are to blame. In the letter of the Poplar Board of Works it is said that the West Ham Corporation are allowing their sewage to flow into the river at all states of the tide, and I will cause inquiries to be made as to this.

CRETE.

MR. SUMMERS (Huddersfield): I beg to ask the Under Secretary of State for Foreign Affairs whether he is able to give the House any information with regard to the origin and nature of the disturbances that are reported to have recently taken place in the Island of Crete?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The present disturbances in Crete are stated to be due to the quarrels of political factions in the Island. Members of these factions have attacked, and in some cases murdered their rivals, causing panic in unprotected localities, and the flight of defenceless people to the places occupied by their friends. Demands have been made upon the Turkish Government for reforms, and by one party for the removal of the Vali, but there does not appear to be anything amounting to an insurrection against the authority of the Sultan.

BEHRING SEA.

DR. CAMERON (Glasgow College): I beg to ask the Under Secretary of State for Foreign Affairs whether he can give the House any information regarding the seizure of the British schooner *Black Diamond* by the United States Revenue cutter *Rush;* and whether this country and the United States have yet arrived at any understanding as to the extent of the latter's jurisdiction in the Behring Sea?

MR. GOURLEY (Sunderland): I wish further to ask the right hon. Gentleman whether the Government have yet received any authentic information regarding the alleged capture of British sealing schooners in and outside Alaskan waters; whether it is true that some of the Dominion sealers carry arms for the purpose of resisting the interference of States revenue cutters in the disputed waters of the Behring Sea; if so, whether this is in accordance with International Law; and what measures Her Majesty's Government intend adopting for the purpose of bringing this long-pending dispute to an amicable conclusion?

*SIR J. FERGUSSON: No authentic news have yet reached Her Majesty's Government as to the seizures of British vessels reported in the newspapers, and they are not aware that Canadian sealers carry arms for the purpose of resistance. No understanding has yet been arrived at between Her Majesty's Government and that of the United States in regard to the question of jurisdiction in the Behring Sea, nor am I prepared to state what measures Her Majesty's Government intend to adopt; but I need hardly say that they are fully alive to the importance of a settlement of the matters in difference.

In reply to a further question by Dr. CAMERON,

*SIR J. FERGUSSON said: It would be rather rash to accept newspaper statements of utterances by members of the American Government either in one direction or the other.

An hon. MEMBER: How about the Press?

*SIR J. FERGUSSON: I have observed in the Press an indication of a very friendly feeling, as the hon. Member has remarked, and I have also seen reported conversations upon one side and the other, but it is impossible to take them as being authentic. As I have said, I believe there is a disposition on the part of the two Governments to deal with the question in a conciliatory manner, and the House may be quite sure that no opportunity will be lost by Her Majesty's Government in bringing about a satisfactory result.

MOROCCO.

MR. WILLIAM M'ARTHUR (Cornwall, Mid, St. Austell): I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government is now taking action in view of the proposed Conference of representatives of European Powers concerning the position of Foreign residents in Morocco, and with special reference to the abuses incident to the present *protegé* system; and, whether Her Majesty's Government will give favourable consideration to the proposal for the establishment of duly constituted Consular Courts in Morocco, which shall check the abuses alleged to be frequent in the country by Natives and others, who are at present enabled to use their "protection" by European Powers for their personal advantage?

*SIR J. FERGUSSON: There is no present prospect of an International Conference concerning affairs in Morocco. I am afraid, therefore, that there will not be any early opportunity of placing the Consular Courts on a better footing.

ST. PIERRE ET MIQUELON.

MR. WILLIAM M'ARTHUR: I beg to ask the Under Secretary of State for Foreign Affairs whether, under the Treaty of 1713, permission was given to the French to occupy the Islands of St. Pierre et Miquelon, off the coast of Newfoundland, for the purpose of giving them a harbour of refuge for their fishing vessels, it being provided that they should not erect permanent buildings or fortifications thereon; whether St. Pierre et Miquelon has ever been ceded to France; and, if so, when; whether the Government are aware that a battery of six guns has been erected by the French to command the entrance to the harbour, and houses have been erected for a permanent population of 4,000 or 5,000 persons; whether

the French Government has recently appointed a French Resident and Council at St. Pierre, and whether the right to make such appointments is given under any Treaty; and whether the French Government has the right to let on lease or otherwise dispose of any portion of the so-called French shore of Newfoundland?

*SIR J. FERGUSSON: In reply to Paragraph 1 and 2 of the hon. Member's question the Islands of St. Pierre and Miquelon were ceded to France in 1763 in full right, but on the conditions stated, and further in 1783 without those conditions being mentioned, but with the declared purpose of affording harbours of refuge for fishermen. We have heard that some guns are mounted at St. Pierre, and no doubt there is a considerable population. We do not know what is the constitution of the Local Authority; but as these islands are undoubtedly French Territory there must be some such Authority. The only rights ceded to France on the coast of Newfoundland are those of erecting scaffolds and huts for the purpose of catching and drying fish.

COMMON GRAVES AT BOW CEMETERY.

MR. CUNINGHAME GRAHAM: I beg to ask the Secretary of State for the Home Department is he aware that there are in the City of London and Tower Hamlets Cemetery, at Bow, several hundreds of common graves without the proper means of identification (red posts). And, this being a violation of Clause 6a in the Order in Council of 9th September, 1884, does he propose taking legal steps to enfore obedience in this matter?

MR. MATTHEWS: I am informed by the Inspector that he has no reason to doubt that the company are replacing the posts which are from time to time destroyed. The company have from the first experienced great difficulty in keeping the graves properly marked owing to the crowds of persons who trample over the graves at largely attended funerals. I have requested the Inspector to visit the cemetery again at his early convenience, and to report to me on the matter.

CONVEYANCE OF LETTERS BY RAILWAY COMPANIES.

MR. DAVID THOMAS (Merthyr Tydvil): I beg to ask the Postmaster General whether he can yet state the results of the inquiry of the Departmental Committee appointed early last Session to consider the question of the conveyance by Railway Companies of letters that have not passed through the post; and, whether he has arrived at a satisfactory settlement of the legal difficulties attending the question?

*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): This subject was carefully inquired into by a Departmental Committee who made a Report to me recommending the adoption of arrangements to meet the object in view. As a result of this Report, the Inspector General of Mails has been in communication with the Railway Companies; and as soon as I am in possession of their views, I hope to be able to come to a satisfactory conclusion in the matter.

LOCAL TAXATION LICENSES.

MR. DAVID THOMAS: I beg to ask the Postmaster General whether, having regard to the fact that the proceeds of local taxation licenses are handed over to the administrative county in which the licenses are taken out, and not necessarily to the county in which the licensee resides, he will afford facilities for the issuing of such licenses by post offices that are not money order offices, so as far as possible to enable persons to obtain them near their residences, and within the counties in which they live, and towards the rates of which they may be contributing?

*MR. RAIKES: Such a course as the hon. Member proposes would be really equivalent to altering the rank of the smaller post offices. This would, I fear, involve considerable expense, as bonds would have to be given and daily accounts instituted. But I am willing to investigate the matter further before arriving at a final decision.

DIPLOMATIC AND CONSULAR REPORTS.

MR. THOMAS E. ELLIS (Merionethshire): I beg to ask the Under Secretary of State for Foreign Affair whether there exists in the Foreign Office a subject-index of the published Reports from Her Majesty's Diplomatic and Consular Officers abroad on subjects of commercial and general interest, and on the manufactures, commerce, &c. of

the Consular districts; and, if so, whether a copy could be placed in the Library of the House?

*Sir J. FERGUSSON: We do not possess such an index; but a very industrious member of the office has been for some time occupied in the preparation of one. It involves a good deal of work, and I cannot anticipate its speedy completion. The hon. Member will see that a List of the Reports on questions of general interest and their subjects is given with each Report that is published.

Mr. T. E. ELLIS: Can the right hon. Gentleman hold out any hope that the Report will be ready before the beginning of next Session?

*Sir J. FERGUSSON: I will look into the matter. If it can be presented it shall be.

THE NAVAL MANŒUVRES.

Mr. TOMLINSON (Preston): I beg to ask the Secretary of State for War whether any part will be taken by the Military Forces in the forthcoming Naval Manœuvres, which may be expected to include a threatened or actual attack on the coasts of the United Kingdom by hostile vessels?

*Mr. E. STANHOPE: The Military Forces will not combine with the defending squadrons for the defence of the coast during the manœuvres. Such a combination would carry with it no practical lesson unless the Land Forces were mobilised; and, even if the law gave power for mobilization in a fictitious emergency—which it does not—the expense and disturbance of industry would be far too high a price to pay for such an operation. We hope, nevertheless, to derive considerable instruction from these manœuvres. The Naval Authorities who control the Coast-guard, the actual watchers round the shores of the United Kingdom, will telegraph to the Military Commanders of districts notice of the approach of hostile vessels. These notices will be recorded, as will the steps that would have been taken on the instant if the forces had been mobilised and actual warfare had existed. Much valuable information will be obtained in this way. At the same time, if points are threatened where defensive works exist, and at which a military muster of forces actually on the spot can take place, the firing of a few rounds will be permitted as evidence that the attack is observed and met.

Mr. COSSHAM (Bristol, E.): Will the right hon. Gentleman take care that the trade of ports is interfered with as little as possible?

*Mr. E. STANHOPE: I am afraid I have no control over the movement of Her Majesty's ships.

Mr. TOMLINSON: The right hon. Gentleman has indicated the possibility of the Local Forces taking part in the manœuvres. Will travelling allowances be made?

*Mr. E. STANHOPE: No, Sir; there will be no travelling allowances.

GOVERNMENT STOCKS AND POST OFFICE SAVINGS BANKS.

Mr. OCTAVIUS V. MORGAN (Battersea): I beg to ask the Postmaster General whether he is aware that the public are not generally informed of the fact that facilities are given for the purchase of Government Stocks through the agency of the Post Office Savings Bank; and, whether he will give instructions that at every Post Office Savings Bank a permanent notice shall be exhibited in a prominent place that

"Government Stocks may be purchased at this Office, and full particulars as to terms of purchase obtained?"

*Mr. RAIKES: In reply to the hon. Member's question I have to state that notices are already issued for exhibition at Post Offices giving information as to investments in Government Stocks through the Post Office Savings Bank, but I will consider whether such information can be given in a more conspicuous form.

GREYSTONES HARBOUR.

Mr. WILLIAM CORBET (Wicklow, E.): I beg to ask the Secretary to the Treasury whether his attention has been called to a Report just made by the County Surveyor of Wicklow to the Grand Jury with reference to Greystones Harbour, in which he says:—

"The pier protects the harbour from gales varying from north-east to south-east. Before its construction any shingle that travelled from the north was caused to travel back again by gales from the south-east, but now the pier shelters the beach from these winds, so that it has been raised by successive deposits of shingle, and the accumulation over a large portion of the bed of the harbour is now enormous. . . .

Within the last eight months an accumulation of five feet six inches in depth has taken place at the inner quoin of the pier. In fact, this point is now dry at low water, where vessels drawing 10 feet could formerly come alongside about two hours after low water;"

and whether the Treasury will reconsider the question of a permanent north groin, and take steps to have the shingle cleared out of the harbour?

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The hon. Member has been so good as to furnish me with the Report referred to in his question. I think the material point to remember is that there is ample accommodation for all present requirements at Greystones. This being so, it would, in my opinion, be premature to talk of removing the accumulated shingle, and, as regards the permanent north groyne, I prefer to wait to see the effect of the temporary groynes, the construction of which has been sanctioned.

MR. CORBET: Will any steps be taken to remove the silt from the harbour?

*MR. JACKSON: In the opinion of the Board of Works it is not desirable to attempt to deal with it now, even if it be found necessary to deal with it ultimately. It is considered desirable, in the first place, to try the experiment of putting in a wooden groin in order to see if that will stop the silting.

THE CITY POSTMEN.

MR. LAWSON (St. Pancras, W.): I beg to ask the Postmaster General whether any steps have been taken to enable the City postmen to complete the day's work within 12 hours; and, when the new rate of pay for extra duty is likely to come into operation?

*MR. RAIKES: A scheme has been prepared for bringing the daily attendance of City postmen as nearly as possible within 12 hours. The change, however, will involve the employment of additional force to which it will be necessary to obtain the assent of the Treasury, with whom I propose to communicate as soon as I have been able to decide upon the details. The question of extra duty rates has been carefully examined by the Department, and I have now under consideration a proposal which I hope to be able to submit to the Treasury in a few days.

ARMENIA.

MR. CHANNING (Northamptonshire, E.): I beg to ask the Under Secretary of State for Foreign Affairs when the Consular Reports and other Papers relating to the condition of Armenia will be in the hands of Members?

*SIR J. FERGUSSON: They are in the hands of the printer, and I am led to expect that they will be in the hands of hon. Members on Thursday or Friday of next week. Their presentation has been delayed by the printing of other Papers that have been asked for.

MR. CHANNING: Will the Papers be in the hands of Members before the Consular Vote is taken?

*SIR J. FERGUSSON: I think they will. I believe it is impossible that the Vote can be reached next week.

VOLUNTARY EDUCATION.

MR. THOMAS ELLIS: I beg to ask the Vice President of the Committee of Council on Education whether, in view of the fact that the education of the majority of the children in the parish of Llangar, County of Merioneth, has for over two years been carried on by voluntary effort, and without superintendence or inspection by the Education Department, and that a new school has been built by the parishioners in accordance with plans submitted to and sanctioned by the Education Department, he will reconsider his decision and allow the School Board to take over the new school and recognise it as a public elementary school?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The Education Department were unable to recognise the voluntary effort referred to during the last two years, as the education of the children was carried on in a room unfit for the purpose, but the promoters of the new building have been told that they should make their application for annual grant when the school is opened, with a certificated teacher. This they have not yet done, but should the application be made it would be the duty of the Department to refer it to the School Board in the usual course.

INTERMEDIATE EDUCATION (WALES) BILL.

MR. THOMAS ELLIS: I beg to ask the Vice President of the Committee of Council on Education whether he will direct the preparation of a Welsh version of the measure dealing with Intermediate and Technical Education in Wales; and, if so, whether steps can be taken to have it published well before the date of the commencement of the Act?

SIR W. HART DYKE: I am in communication with the Treasury on the subject, and will see that no time is lost in the production of a Welsh version of the measure in question as soon as it receives the Royal Assent.

THE SHOREDITCH VESTRY.

MR. JAMES STUART (Shoreditch, Hoxton): I beg to ask the Secretary of State for the Home Department whether he is aware that the Chairman of the Shoreditch Vestry, which held a meeting on Tuesday last, when the Chief Secretary for Ireland visited the Shoreditch Town Hall, requested the assistance of the police to protect the members of the Vestry against the aggressive attitude of persons in the crowd; whether six policemen arrived at the Town Hall, in response to the written request of the Chairman of the Vestry and the Vestry Clerk, and were sent away by the Inspector of Police present at the Hall without coming and reporting to the Chairman of the Vestry; and, whether it is or is not the duty of the Metropolitan Police, when called on by a Vestry to protect its members, to afford the protection required?

MR. MATTHEWS: I am informed by the Commissioner of Police that police assistance was asked on the occasion in question, and that, accordingly, six constables were sent. They were not allowed by the Superintendent who was present to go inside the building, but they patrolled outside. These orders were in accordance with usual practice, and I cannot see that the Metropolitan Police failed to afford the required protection.

IRELAND—ALLEGED ORANGE OUTRAGE IN COUNTY ARMAGH.

MR. BLANE: I beg to ask the Chief Secretary for Ireland whether he has been informed that, on the evening of the 12th July last, a number of Orangemen coming out of an Orange Lodge at Tullynamallogue, near Keady, County Armagh, cursed the Pope, attacked some Catholic boys and girls, and fired guns and revolvers at them; whether Mr. Starkie, the District Inspector, has issued summonses against a number of Catholics, charging them with assaulting William Morris and others of the attacking party on that occasion; and whether any summonses have been issued against the Orange party, who were the aggressors; and whether this is the first time that the Catholics of this district have been prosecuted by the Constabulary for defending themselves when similarly attacked?

MR. A. J. BALFOUR: The Constabulary Authorities report that an affray took place about one mile from Keady, between some Protestants and Roman Catholics on the night of the 12th July. Evidence has been obtained against three of the former and five of the latter, against whom summonses have accordingly been issued for hearing at the next Petty Sessions. No person was summoned for assaulting Morrison, nor am I able to say which party were the aggressors, this being a matter which the Court no doubt will determine. A similar party affray occurred in the Keady district in February last. Members of both sides were prosecuted, and the cases stand adjourned to the middle of this month in order to see how the accused would in the meantime behave themselves.

THE ASHBOURNE ACT.

MR. ESSLEMONT (Aberdeen, E.): I beg to ask if representations had been made to the Government in favour of the extension of Lord Ashbourne's Act to Scotland?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I have received information to the effect that representations have been made to the Secretary for Scotland's Office as to the extension of the Crofters Act in regard to land purchase. Those representations will receive consideration, although I cannot hold out any expectation that it will be in the power of the Government, without the most serious consideration, to extend the

system of land purchase in the direction indicated.

DR. TANNER.

MR. SEXTON (Belfast, W.): I wish to ask the Chief Secretary with regard to the case of Dr. Tanner whether, as Ministers maintained in yesterday's Debate, that the charge against Dr. Tanner (of which he had solemnly declared himself innocent) had been proved against him, and as he was precluded by the expulsion of his counsel, and the consequent withdrawal of his solicitor from carrying the case to a higher Court, he will be afforded any opportunity now of bringing forward his defence? I should also be glad to know what steps the Government intend to take in regard to the sentence for contempt of Court?

MR. A. J. BALFOUR: The right hon. Gentleman will see that, to carry out his request, would be altogether beyond the power of the Government, and utterly irrational and unreasonable. Dr. Tanner had full opportunity of producing his defence, and, as he made none, the natural conclusion is that he had none to make.

MR. SEXTON: Then is it to be understood that the right hon. Gentleman will not allow an inquiry as to whether the sentence of one month's imprisonment with hard labour was justifiable?

MR. A. J. BALFOUR: That is a question which does not come before me. If it is desired that the Lord Lieutenant should exercise the prerogative of mercy, of course it should be brought before the Lord Lieutenant in a proper manner, by petition.

THE DONEGAL BATTERING RAM.

MR. MAC NEILL: May I ask whether the cost of the Donegal battering ram will be included in the Constabulary Vote?

MR. A. J. BALFOUR: No, Sir; I think I have already given a very definite reply to that. It will not be included in the heading.

MR. MAC NEILL: Under what heading will the Donegal battering ram be included?

MR. A. J. BALFOUR: Under no heading.

MR. MAC NEILL: Who pays for it?

[No answer.]

MR. SEXTON: I wish to ask the First Lord of the Treasury whether the battering rams are paid for by the Chief Secretary in his official or private capacity, and under what Estimate it will be taken?

*MR. W. H. SMITH: I cannot supplement the answer of my right hon. Friend. I have no information on the subject, but I am sure that my right hon. Friend will give every information in his power when the Estimates come on.

MR. SEXTON: I beg to give notice that I shall object to any procedure with the Irish Estimates until the information asked for as to who paid for the battering ram is afforded to the House.

THE TITHES BILL.

MR. LABOUCHERE (Northampton): May I ask the First Lord of the Treasury whether, since his statement with regard to the course of action upon the Tithes Rent Charge Bill, he has received a memorial from each side of the House asking him not to take any further action on the Bill during the present Session; and whether this will in any way modify his intention?

*MR. W. H. SMITH: No, Sir; I have not received any memorial, and was not even aware of their existence.

MR. LABOUCHERE: I beg the right hon. Gentleman's pardon. It was Lord Salisbury who received it.

*MR. W. H. SMITH: Well, Sir, Lord Salisbury has not communicated to me any information of the kind, and as I happen to know that he is not in London at present, I do not think it would be in his power to do so.

MR. DILLWYN (Swansea): In view of the answer which has been given, I trust that the Government will as soon as possible communicate to the House the decision at which they may arrive.

*MR. W. H. SMITH: My noble Friend the Prime Minister will be in London on Tuesday, after the discharge of his duties elsewhere, and I will then communicate with him on the subject.

MERCHANT SHIPPING (PILOTAGE) BILL.

MR. W. SINCLAIR (Falkirk Burghs) asked when the Merchant Shipping (Pilotage) Bill would be taken?

*Mr. W. H. SMITH: It is intended to take Class IV. of the Estimates on Monday. The hon. Member can therefore form an estimate for himself as to whether it is likely to reach the Pilotage Bill in sufficient time to secure its consideration. I hope that it may be possible.

HOP INDUSTRY.

Select Committee on Hop Industry nominated of Mr. Biddulph, Mr. Channing, Mr. James Ellis, Mr. Agg-Gardner, Sir Guyer Hunter, Mr. E. Knatchbull-Hugessen, Sir Wilfrid Lawson, Sir Edmund Lechmere, Mr. Shaw Lefevre, Sir Roper Lethbridge, Mr. Long, Mr. Jasper More, Mr. Norton, Mr. O'Keeffe, Mr. Pomfret, Mr. Stack, and Mr. Brookfield.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That seven be the quorum. —(*Mr. Brookfield.*)

ORDERS OF THE DAY.

PRINCE OF WALES'S CHILDREN BILL.
(No. 358.)

Considered in Committee.
(In the Committee.)

Clause 1.

Mr. ESSLEMONT (Aberdeen, E): I beg to move, in line 5, after "thereof," to insert—

"Or from such sums as may become available from the discontinuance or abolition of offices in Class 2 of the Civil Service List, and which may be at the disposal of Parliament during the present reign."

In moving this Amendment, I shall carefully avoid anything like making a Second Reading speech. It is necessary to explain, however, that the subject of my Amendment has been under the consideration of Parliament for several years, and that my hon. Friend the Member for Dundee (Mr. E. Robertson) has constantly directed attention to several matters connected with the Crown. But the Government have refused to listen to the representations made to them, and now we have the present Bill, which seems to have been drawn for the purpose of foreclosing the Civil List during Her Majesty's reign. I do not begrudge in any way the allowance to Her Majesty or to the Heir Apparent to the Throne; but my complaint is not that £36,000 additional should be granted, but that it should be granted upon the understanding that the Civil List shall remain *in statu quo* during Her Majesty's reign. I believe that the feeling of the country upon this subject is exceedingly keen, but the irritation which exist is not due to the Grants to Her Majesty and the Prince of Wales for the purpose of maintaining the dignity and splendour of the Monarchy, but to the realisation of the fact that there are around the Throne a number of persons receiving nearly £20,000 a year in pensions, and many thousands of pounds more in salaries, which are attached to sinecure offices. The people will remain dissatisfied with the Civil List until these parasites are removed and the sinecure offices abolished. They protest against paying a number of persons who do no service whatever to the State, and simply live upon the industry of the taxpayers. I am afraid that it will be in vain to attempt to allay this feeling of irritation until the long-promised Committee shall have been appointed and shall have reported. We have no objection to maintain the Monarchy in dignity and splendour, but we do object to maintain it for purposes which we think are pernicious and inimical to the best interests of the State. I beg to move the Amendment.

Amendment proposed, in page 2, line 5, after the word "thereof," to insert the words—

"Or from such sums as may become available from the discontinuance or abolition of offices in Class 2 of the Civil List, and which may be at the disposal of Parliament during the present reign."—(*Mr. Esslemont.*)

Question proposed, "That those words be there inserted."

*The CHANCELLOR of the EXCHEQUER (Mr. Goschen, St. George's, Hanover Square): The Government are unable to accept the Amendment of the hon. Gentleman. The purport of the Amendment is that a revision of the Civil List should be undertaken with a view of seeing whether any saving can be made, and if so of applying such saving to an allowance for the Prince of Wales' children. It has been clearly

established in the course of the Debates that not only do the Government not propose to disturb the Civil List during the present reign, but it is admitted pretty generally that that is a step that ought not to be taken at present. Therefore, both on account of the compact which has existed between the Crown and Parliament during more than 50 years, and on account of the general inexpediency of undertaking a revision of the Civil List at the present moment, the Government feel that they cannot accept the Amendment.

SIR G. CAMPBELL (Kirkcaldy): I concur with my hon. Friend as to the desirability of reducing surplus Court appointments, which are a means of corruption at the disposal of the Government of the day. A large number of excellent young men, heirs to large estates, are captured and taken political prisoners by a Lord in Waitingship or something of that kind. But although I concur with my hon. Friend I cannot give him my vote, because in the whole of this matter I am publicly pledged to follow the declarations and the lead of my right hon. Friend the Member for Mid Lothian (Mr. Gladstone.) Her Majesty having taken upon herself the burden of providing for the junior members of the Family, Parliament ought not to try to make money out of the Civil List, money which may fairly be taken by Her Majesty to enable her to discharge that very great burden. I am not well up in my knowledge of the Royal Family, but I find from *Whitaker's Almanack* that Her Majesty has had nine children. The children of four of them have already been provided for, but there are the families of three daughters who still require to be provided for. Her Majesty has taken upon herself that great burden, and it therefore seems to me that we ought in no way to interfere with the Civil List.

MR. COSSHAM (Bristol, E.): I contend that the compact alluded to by the Chancellor of the Exchequer has been observed only on one side, and I support the principle of the Amendment, by which my hon. Friend does not mean in any way to diminish the income of Her Majesty, but to utilise any savings that can be effected in the Civil List. I am afraid that there is nothing that tends to bring Royalty more in conflict with the feelings of the people than votes of this kind for persons who hang on to the skirts of Royalty. On that ground I shall support the Amendment of my hon. Friend, although as I have paired I cannot vote for it.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster: I wish to assert most emphatically, in contradiction to the statement of the hon. Member, that the compact of 1837 has been observed by Her Majesty to the very letter from the very beginning until now, and the applications made to Parliament from time to time have been made by responsible Ministers of the Crown upon their own sense of their duty to Parliament, the Crown, and the country, and in full recognition of the compact originally made.

*MR. BRADLAUGH (Northampton): I hope that the hon. Gentleman who moved the Amendment will not go to a Division upon it. I am quite in favour of the abolition of many of the offices provided for under Class 2 of the Estimates, but I am not aware that any of those offices will be at the disposal of Parliament during the present reign without some specific enactment. Therefore the Amendment does not in terms apply to what the hon. Member wishes.

*MR. C. J. DARLING (Deptford): In my opinion the Amendment is entirely nugatory, because if money comes to be at the disposal of Parliament it would come into the Treasury in natural course, and need only be left there.

*MR. STOREY (Sunderland): In 1844 a number of these offices were abolished, but the money did not come to Parliament at all. It was retained in the hands of Trustees and handed over to Her Majesty. I contend that every application to Parliament for an increase of the amount to the Royal Family has been a breaking of the agreement of 1837. ["No!"] I shall be glad if the hon. Member who says "No" will endeavour to prove it. The other night it was said that no intimation had ever been made to the Crown that any additional application for a Grant to Members of the Royal Family should not be made, and that no Minister had ever intimated to Her Majesty that none was

expected to be made. The First Civil List for a whole reign on the new plan was that of William IV. It included the pensions then borne upon the Consolidated Fund—£50,000 a year for Queen Adelaide.

THE CHAIRMAN: I do not see how the hon. Member can make these observations relevant to the Amendment.

*MR. STOREY: The proposal of my hon. Friend is that any savings that may be made hereafter shall be retained for public purposes, and it is contended on the other side that that would be a breach of the compact entered into in 1837. I wish to show that, as a matter of fact, no such compact exists. My only object was to call attention to the remarks of the Chancellor of the Exchequer in November, 1837 (Mr. Spring Rice), in which he clearly pointed out that the Civil List were to be regarded as final, and that there were to be no further applications to Parliament for additions. All the engagements which this House has entered into were, I maintain, fulfilled when the Civil List was fixed at £385,000, and that no further contribution in excess ought to be imposed upon the people.

MR. GLADSTONE (Edinburgh, Mid Lothian): While the Bill has been in Committee, I have thought that I should best promote the progress of Public Business by not taking part in the discussion, the principle and provisions of the Bill having been largely expounded and, as I think, thoroughly understood by the House. But when the statement is made, no doubt in perfect good faith, by the right hon. Gentleman that the compact between the Crown and Parliament has been broken by subsequent applications for Grants to members of the Royal Family, as one who had something to do with the original settlement I do not think I ought to remain entirely silent, and I must frankly adopt the statement of the First Lord of the Treasury. It appears to me that Her Majesty has in the strictest and most absolute manner possible conformed to the declaration which was made in the Civil List when she came to the Throne. In regard to the non-possession of means by the Crown, the state of the case is this—that when the Government in the time of Lord Palmerston considered the question of provision for the children of the Queen they looked at the question as a whole. I think, if I remember the figures correctly, that, including the Prince of Wales, the total sum to be provided would have been above £150,000, and excluding the Prince of Wales £100,000 a year. It was the opinion of Her Majesty's advisers at that day that whether the Queen had or had not certain savings on the Civil List—and I am glad she has had them, as Parliament is going to be considerably benefited from them—Her Majesty had no savings and no means at her free disposal which could have enabled her to face such a demand as that for £100,000 a year. With respect to the Amendment immediately before the House, I am unable to support it for reasons which are extremely patent. I take it to be perfectly clear in law and according to the equity of the case that if any inquiry should be made which should result in savings being made in the present Civil List by the abolition of certain offices, those savings will be absolutely in law and in honour the property of Her Majesty, with which Parliament ought not any more to interfere, and with which I do not believe Parliament will interfere, than with any other absolutely established and universally recognised right. I must repeat the opinion mentioned by my hon. Friend the member for Kirkcaldy (Sir G. Campbell) just now that Her Majesty is about to assume a very heavy burden, and if Her Majesty can be aided by any such savings as those intended in the present Amendment, I would be extremely glad if she could be assisted by any economies which it is in her power, and not in that of Parliament, both in law and in equity to make. To lighten her burden would be the natural, honourable, and only legitimate application of these funds.

MR. LABOUCHERE (Northampton): Many of the questions raised in these Debates are questions upon which much may be said on either side. I do not think it is necessary to go into the question whether there was a compact with Her Majesty which precludes Her Majesty from asking any additional aid for her children or grandchildren, but I should like to point out to the right hon. Gentleman the Member for Mid Lothian that when he says that if Her Majesty were to do away

with a considerable number of household offices she would have a right to acquire the salaries, he can hardly remember that the Civil List Act was based on a Report of a Committee. That Committee went into all these details and made alterations in regard to the amount to be paid during the reign of William IV., and the Act was founded on that Report, just as the present Bill is founded on the Report of the Grants Committee. It seems to me that if by an Act of Parliament it has been agreed to give Her Majesty £385,000 a year, which Act was based on the Report of a Committee which said so much shall be given to A, so much to B, and so much to C, it would be hardly fair and reasonable, if the salaries were suppressed, that Her Majesty should enjoy the amount saved. These salaries are supposed to be paid in the interest of the maintenance of the honour and dignity of the Crown, and if they are suppressed, the money ought to remain in the Treasury. The Chancellor of the Exchequer has said that it would be unfair to insist upon Her Majesty, in the autumn of her life, making great changes in her household. There is a certain amount of force in that, but the Amendment does not insist that Her Majesty should do so. All it says is that if Her Majesty should do so the amount should go in aid of the sum which it is proposed should be given towards the support of the Prince of Wales, and therefore that the taxpayer should be relieved to that extent. I ask the Chancellor of the Exchequer whether very lately Lord Spencer and Sir Reginald Welby have not gone into the question whether any of these salaries could be suppressed, and whether the result was not that the office of Clerk held by Lord Alfred Paget was not filled up upon the death of that gentleman. With respect to the Amendment, however, unless my hon. Friend consents to an amendment in its form it will be rather difficult to vote for it. The Amendment speaks of funds "which may be at the disposal of Parliament during the present reign," but the funds to which it refers are not at the disposal of Parliament, but at the disposal of the Treasury.

MR. ESSLEMONT: I mean the Treasury; and am quite prepared to consent to the Amendment suggested.

MR. LABOUCHERE: Then I have nothing more to say except that I hope the Committee will adopt the Amendment with the alteration.

MR. ESSLEMONT: I cannot consent to withdraw the Amendment, but I will accept the amendment which has been suggested. I have great respect for the Leader of the Opposition, and have given great weight to all he has said as to this Amendment, but I feel that it is part of the duty of Parliament and the Treasury to reform these sinecure offices, and not burden the country with them. We are asked to pass this Bill, and practically to shut up every avenue to economy with regard to Royal Grants during the present reign. I believe the constituencies are not prepared to have this question foreclosed.

*MR. BRADLAUGH: I beg to move to omit from the Amendment the words "and which may be at the disposal of Parliament during the present reign."

Amendment proposed to the proposed Amendment, to leave out the words "and which may be at the disposal of Parliament during the present reign."—(*Mr. Bradlaugh.*)

Question, "That the words 'and which may be at the disposal of Parliament during the present reign,' stand part of the proposed Amendment," put, and negatived.

Question, as amended, proposed.

MR. HUNTER (Aberdeen, N.): I think the Amendment of my hon. Friend hits, from a popular point of view, the great blot in this Bill. The people perceive that there are vast numbers of enormously paid officials whose services are purely nominal. Lord Coventry, the Master of the Buckhounds, receives £1,700 a year, and the Duke of Portland, the Master of the Horse, is paid £2,500 a year. It is these things which shock the moral sense of the community. These men are very rich, and they render no service to the country or to the Queen—I mean no service to the country proportionate to the sums they receive. If there is one instinct of the democracy which is stronger than another—if there is one principle that they will enforce upon the House sooner or later—it is the principle that, with regard to the expenditure of public

money, there must be some close proportion between the services that are rendered and the money that is paid for them. It was not so, I grant, at the commencement of the present reign. Fifty years ago the persons who were the depositories of political power were not shocked at such salaries as these which are paid to the Duke of Portland and Lord Coventry; but 50 years have made a mighty difference. The people have now a voice in the management of affairs, and those who are responsible in matters of this kind would do well to take heed of the warning which has been given them, not only by these Debates, but still more by the significant Divisions which have taken place upon this Bill, and to apply their minds to removing what, in the minds of the great mass of the people, is one of the great objections to Royalty. Hon. Members must remember that the large majority of voters are persons who are paid between 15s. and 35s. a week, and that the great majority of these are at present making less than £1 a week. A man who has to work an hour in order to earn 6d. or 8d. has a realising sense of the value of a penny, and the amount of labour and suffering it represents, which those in a more fortunate position in life cannot appreciate. It is said it is impossible to give effect to this Amendment, for technical reasons, in connection with the supposed compact established by the Civil List Act at the commencement of Her Majesty's reign. I do not think there is much profit or advantage in discussing at this time of day what is the true meaning of the Act establishing the Civil List. But if the framers of that piece of legislation had intended that the savings of Class 2 should go to the Privy Purse, they employed peculiar language for the purpose. If that was the intention, why did not the Act say so? It provides that any surplus may be transferred from one class in aid of another, which seems to imply that it is only to be done when there is an insufficiency in the class. There is not much advantage in discussing this matter now. I believe the real reason why the point was left in this highly ambiguous state was one highly creditable to Her Majesty. It was that the framers of the Act never contemplated the possibility of a Sovereign spending less than £385,000 a year. But whatever view we take of these matters, I think it ought not to be beyond the power of Her Majesty's Ministers to provide even at the latest moment for the abolition of offices which throw an unnecessary burden on the taxpayers of the country. I am certain that while the great mass of the people appreciate the advantages of the Monarchical form of Government as it now exists in this country, and are quite prepared to pay all necessary sums for its maintenance, they will nevertheless set their faces against the whole principle of Class 2, against the principle of honorary or titular or nominal offices bestowed upon rich men and highly paid at the expense of the State. Under these circumstances I shall certainly support the Amendment.

MR. WALLACE (Edinburgh, East): I do not think the right hon. Gentleman the First Lord of the Treasury criticised with his usual fairness the language of my hon. Friend when he seemed to charge him with reflecting on the conduct of Her Majesty. If my hon. Friend had done so, he would have been guilty of a transgression which must have brought upon him the censure of the Chair. All my hon. Friend could have meant was that the propositions of Her Majesty's Government were of such a nature that they presented the Sovereign in the aspect referred to. It is perfectly impossible that the Sovereign can be spoken of in a sinister manner by any person with a knowledge of the Constitution. The King can do no wrong. A Constitutional Sovereign, who follows the advice of her Ministers, must always be Constitutionally right. We know that the Ministers have placed the Sovereign in a false position; but, at the same time, I know Her Majesty is in a true and right position, because she is doing whatever she is advised by her Ministers. I rose, however, to offer a humble contribution to the discussion on the argument that the application of any savings which may be effected by the Treasury on the Civil List is really not relevant to the present emergency, because those savings become the property of Her Majesty by the act of the Trustees of the Fund, who are, according to law, entitled to devote them in aid of the charges on the Privy Purse,

if they choose. I do not object to that reading of the law. I shall not dispute the position that any savings in Class 2 may be properly enough devoted to the charges on the Privy Purse, which is Class 1 of the Civil List. I ask whether the maintenance of the children of the Royal Family is a personal and private matter, as is the case in other families, or is it a matter connected with the maintenance of the dignity and honour of the Crown? If it is a duty of a personal and private capacity, I ask what could be a more natural distinction of private and personal funds? I take it that whether the savings go to the maintenance of the family or to the maintenance of the honour of the Crown, they are equally to be contemplated as devoteable—if I may coin a word—to the purposes of the maintenance of the Royal Family. I do not like the way in which Her Majesty's Ministers continue to speak of the bargain or compact which they say exists between the Queen and the nation. In the strict sense of the word there can be no contract between the Queen and her people, because there is no authority by which it can be enforced. The Preamble of the Civil List Act is founded on relations of affection between Sovereign and people. All the difficulty and painful feeling and misunderstanding of this matter at the present moment has been produced by the unwise conduct of Her Majesty's Government in not coming forward and plainly and honestly telling us, the Representatives of the people, that Her Majesty cannot conveniently support all the members of her Family in that style which is consistent with the maintenance of her Family.

*MR. GOSCHEN: I am glad to have the opportunity of doing so. I say distinctly that the Queen has not the means of providing for all her children and her grandchildren in a manner befitting their station and dignity. I make that statement in the fullest sense.

MR. WALLACE: If I rightly understand the right hon. Gentleman I accept his statement with confidence. I desire, however, that there should be no misunderstanding with regard to the matter. I have listened too carefully to the Debate—I will not say to be taken in—but to be misled by generalities. Does the right hon. Gentleman intend to convey to the House that Her Majesty's means from all sources, both public and private, are not sufficient to enable her to maintain her children and grandchildren in becoming dignity?

*MR. GOSCHEN: If the hon. Gentleman will allow me, as he has further pressed me upon the subject, I will make the matter absolutely plain. What I mean is that if the Queen devoted the whole of her fortune to the children of the Prince of Wales and to her other grandchildren it would not suffice to make that provision for them which I believe the House thinks necessary for their proper support.

MR. WALLACE: Then I must say that in the face of that declaration any opposition on my part to this Grant is entirely disarmed.

The Committee divided:—Ayes 54; Noes 164.—(Div. List, No. 273.)

*MR. STOREY: I do not know that I need press the next Amendment, but I will formally move it, in order to elicit from the right hon. Gentleman the reason why a particular date has been put in the Sub-section 2 of Clause 1. This sub-section provides that the first quarterly payment shall be made on the 5th October, and as this is the 2nd August, I think the first payment ought not to be made until November or December.

Amendment proposed, Clause 1, in page 2, line 7, to leave out the word "October" and insert the word "November."—(*Mr. Storey.*)

Question proposed, "That the word 'October' stand part of the Clause."

*MR. W. H. SMITH: The reason for the insertion of this date is obvious. In these matters it has been customary to make the allowances date from the day on which the House has taken Her Majesty's Message into consideration. In this case Her Majesty's Message came down on the 2nd of July. The 5th of October is the first quarterly pay-day after that date.

*MR. STOREY: Then all I can say is I hope a similar course will be adopted with reference to other persons to whom grants are made. My opinion is that the payment should only date from the date when Parliament authorises the

grant. I will not, however, press my Amendment.

Amendment, by leave, withdrawn.

Question proposed, "That Clause 1 stand part of the Bill."

*Mr. STOREY: In order to give some of my friends who were prevented from voting on the second reading an opportunity, I shall divide against the clause. I will only refer to the answer given by the Chancellor of the Exchequer, which appears to have driven my hon. Friend the Member for South Edinburgh out of the House. Her Majesty's Government have assured the House that the total sum under the control of Her Majesty is not sufficient to enable her Majesty to make provision for her grandchildren. That is a most extraordinary statement to be made at this stage of the proceedings. I should like to ask the right hon. Gentleman the Chancellor of the Exchequer if that statement was made to the Committee upstairs? Did he furnish the Committee with any figures which enabled the Committee to judge of the reasonableness of the statement? Did he satisfy the hon. member for Northampton?

Mr. LABOUCHERE: No.

*Mr. STOREY: Did he satisfy the right hon. Gentleman the Member for Newcastle? Did he give him figures which justified him in coming to the conclusion that Her Majesty's resources were not sufficient for the purpose in view? I am not quite of the same temper as my hon. Friend the Member for South Edinburgh, who runs away the moment he hears a Ministerial statement capable of 50 interpretations. I have heard too many to be taken in with a bald statement of that kind. I will tell the right hon. Gentleman what, in my opinion, would have been a judicious course for him to take. He should have given the Committee information, and enabled them to form an opinion, and then come down to the House with an explicit statement on the point. I shall take the opportunity of dividing against this clause.

Mr. LABOUCHERE: What was done in Committee was this—a statement was made as to the amount of Her Majesty's fortune at the present moment, and we were told to treat that as a private communication, and of course have done so. Everybody can form his own opinion as to whether the amount of accumulations at the present moment would be sufficient to enable Her Majesty to provide for her grandchildren at her death. The Chancellor of the Exchequer has recently said that the amount is not sufficient to provide for the grandchildren, whereupon a Scotchman, in rather a weak-minded way, immediately walked out of the House and said he would not vote. I am perfectly convinced of this—and I am not going to state the figures—that if the amount of Her Majesty's fortune was known to the House, every single Scotchman—for they are a careful and economical people—would be of opinion that there is amply sufficient, from the actual savings, to give what may be termed a reasonable fortune to each of the grandchildren. What is called the appanage of an Austrian Archduke is something between £1,500 and £2,000 a year. I hold that the sum of £2,000 per annum, with such a capital sum as would produce that sum, to be left to his children, is sufficient for each grandchild of Her Majesty. In my opinion, there is sufficient to provide for all the grandchildren, exclusive of the children of the Prince of Wales. Her Majesty is, however, now receiving a larger revenue from the Duchy of Lancaster, and a far larger income, than she received for her private use when she came to the Throne and the Civil List was established; and I contend that out of the accumulations all the younger children can be provided with an ample fortune, and that out of the excess of the private revenue over expenditure an ample amount—a sum greater than £36,000 a year—might without any curtailment in necessary expenditure be granted to the children of the Prince of Wales during Her Majesty's life.

Mr. GLADSTONE: My hon. Friend has just said that he is convinced every Scotchman would agree with him that the savings of Her Majesty were amply sufficient for her grandchildren.

Mr. LABOUCHERE: I consider the right hon. Gentleman as belonging to the United Kingdom and not to Scotland.

Mr. GLADSTONE: I am much obliged to my hon. Friend, but I may tell him that we hold in Scotland that belonging to the United Kingdom

makes us not still less but still more Scotchmen than we were before. I have not a single drop of blood which is not Scotch nor a single blood relation except those who are Scotch. I wish to accept the challenge of my hon. Friend, and I must say, having thought over the matter from my own point of view, before the statement of the Chancellor of the Exchequer was made, that I respectfully differ from my hon. Friend. I am convinced that if the vast majority of the House examined into the question they would come to a conclusion in conformity with the statement of the Chancellor of the Exchequer with respect to the insufficiency of the accumulations. I am not speaking of the large and splendid figures with which we have been accustomed to deal in this House in providing £25,000 a year for the Royal Princes; but, forming the best estimate I can as to what is necessary for sustaining the burdens of life only on the footing of a gentleman —which is surely a very moderate estimate to form as to the mode of life of the immediate descendants of Royalty—I think that the Chancellor of the Exchequer was right, and that the means at the disposal of Her Majesty are not sufficient to make provision for her descendants. I cannot see that the hon. Member for Edinburgh was in the least to blame because he was disposed to attach weight to the responsible judgment of a Minister of the Crown. It is said that that statement was made at a late moment, but I may point out that it was not called for before. It should be borne in mind that the Committee has distinctly reported that all the information deemed by them needful to the objects of the inquiry was fully and freely laid before them by Her Majesty.

MR. HALLEY STEWART (Lincolnshire, Spalding): I appeal to both Front Benches in this matter to enable us to form a judgment for ourselves. The right hon. Gentleman the Chancellor of the Exchequer tells us if we were in possession of the facts we should agree that the sum at Her Majesty's disposal is not sufficient to maintain the Royal grandchildren with proper dignity. The right hon. Gentleman the Member for Mid Lothian not only confirms this but adds that it is not sufficient to maintain them properly in the station of private gentlemen. Will right hon. Gentlemen tell us what sum they would deem to be sufficient? That is the essence of the whole question. If I am to give a blind vote, I would rather do so following my leader into the Lobby; but I intend to say it is a blind vote given in the absence of definite information. I approve of the position taken up by the Member for South Edinburgh.

The Committee divided: Ayes 179; Noes 48.—(Div. List, No. 274.)

Clause 2.

*MR. STOREY: The Amendment I have to propose is that the words from "Act" in the nineteenth line to "otherwise" in the following line be omitted. I move it for the purpose of recording my protest against a system under which Parliament is required not merely to make Grants to persons, but also to enable a fund to be formed by accumulations, which fund will be entirely out of the control of Parliament. I make no speech upon it because the matter has been discussed again and again, but I move the Amendment.

Amendment proposed, in line 19 to leave out from the word "Act" to the word "otherwise" in line 20, inclusive.

Question, "That the words proposed to be left out stand part of the Clause," put, and agreed to.

*MR. STOREY: With regard to the next Amendment I may say it is intended to place a limit upon the now unlimited control the clause gives to the Prince of Wales and certain officials to distribute the sum in any way they may think best. My Amendment prescribes the amount that shall be paid to each child in the following proportion, five-twelfths to the elder son, four-twelfths to the younger son, and to the daughters one-twelfth each. I have a very simple reason for proposing this. Anybody who reads history knows quite well that there have been in times past serious conflicts arising from differences of opinion in the Royal Household, and I can conceive circumstances under which internal differences may affect the distribution. The official persons will always be very much under the influence of the Prince of Wales and will do pretty much as he desires, and the appointment may be made according to favouritism and used as a means of

punishment or reward. I simply say this that my intention may be recorded though I will not put the Committee to the trouble of a Division.

THE CHAIRMAN: The hon. Member does not move?

*MR. STOREY: No.

MR. LABOUCHERE: Upon the point to which the next Amendment which stands in my name is directed, perhaps the First Lord of the Treasury or the Chancellor of the Exchequer can give me some enlightenment. What is to happen in the event of there being accumulations of unexpended funds? I need not go into this elaborately, but it is very evident as I read the clause that there may be considerable accumulations. For instance it is intended to give certain annuities to the daughters of the Prince of Wales and also £10,000 down. Well, suppose one of the younger daughters should die before the demise of the Prince of Wales, and that the sums are allowed to accumulate, and there should be a change in the Sovereignty of the country; then you have a fund hung up high and dry, a fund voted for a specific purpose, and this fund not being required for that purpose ought surely to be paid back to the Treasury.

Amendment proposed, in page 2, line 29, at the end of the Clause, to add the words—

"But should the trustees have in hand any unexpended accumulations of this sum six months after the death of Her Majesty, whom God long preserve, then such accumulations shall be paid into the Public Exchequer."—(*Mr. Labouchere.*)

Question proposed, "That those words be there added."

*MR. W. H. SMITH: The hon. Gentleman will not be surprised to hear that we cannot accept this Amendment.

MR. LABOUCHERE: I am surprised.

*MR. W. H. SMITH: We regard this as a Grant to make provision for the family of the Prince of Wales. The trustees to be appointed are official trustees—namely, the First Lord of the Treasury and the Chancellor of the Exchequer for the time being, and they will be bound to see that the fund is properly distributed. It is obvious that provision may not be required to be made for some members of the family for a year or two, but when it is required there is the provision made by the Bill. That there will be accumulations to any considerable amount, for, say, eight or ten years is highly improbable in every sense of the word. The utmost we can hope is that there may be some accumulations during the earlier years that will enable His Royal Highness and the trustees to make such provision for his children as may be necessary and reasonable. Assuming even the possibility of accumulations, then these will be known to Parliament, and will be an element to take into consideration when a new Civil List comes to be settled. Under the circumstances I cannot see there is any necessity for the Amendment.

MR. LABOUCHERE: It is very evident, and every hon. Member who has paid attention to the point must see it, that I am right and that the right hon. Gentleman is wrong. The fact is, he did not think of this point, and I have thought of it. The right hon. Gentleman does not want a Report stage of the Bill, but I do not share his view. I should rather like a Report stage, for we have a little more to say upon these matters. But I can perfectly understand why the right hon. Gentleman does not wish for this additional stage of the Bill. He has admitted I am right, for he says the matter will have to be re-considered in the event of the demise of the Sovereign. But surely we ought to consider it now; surely we have had sufficient discussion upon these accumulations; surely we ought to have it perfectly clear that if, on the demise of the Queen, there are accumulations, and the children of the Prince of Wales become the children of the Sovereign, then the money in the hands of the trustees for the benefit of the children of the Prince of Wales and not of the children of the Sovereign should be repaid by the trustees into the Treasury.

The Committee divided:—Ayes 42; Noes 175.—(Div. List, No. 275.)

MR. LABOUCHERE: Perhaps I may be more fortunate in inducing Her Majesty's Government to accept the next Amendment I have to propose. The point is this: supposing, first—I sincerely hope it may not be the case—but suppose the two sons and the two younger daughters of the Prince of Wales should

die to-morrow, should there be granted to the Duchess of Fife £36,000 a year during the time she remains the grandchild of the Sovereign? Surely that is not the intention. We want to make a fair and adequate allowance of the £36,000. It is not probable that all the children will die except one, and I trust that none of them may die; still one may die. Supposing, after the allowance is given to the elder son and to the three daughters, the second son were to die. So far as I understand it, it is assumed that the second son will have £15,000 if he marries. Let us suppose he dies, and his wife dies, where is the £15,000 to go to? The elder son is to have £25,000, which is thought amply sufficient. On this happening, is he to have £40,000, or are the daughters to have additions made to their allowances on the death of their brother? It is a bungling arrangement, I have always thought, giving the sum to the Prince of Wales and leaving him to divide it; I have always thought it would be much better to give a specific sum to each of the children; still, we have made the arrangement by this Bill, and I only want to carry out what I believe to be the intention of the Bill that each of the children shall have her or his fair proportion of the sum, and shall not have more if one or two or three of the children should unfortunately die. I therefore move the Amendment standing in my name.

Amendment proposed, in page 2, line 29, at the end of the clause, to add the words:—

"But should any of the children of His Royal Highness the Prince of Wales predecease His Royal Highness, during the lifetime of Her Majesty, then such amount as had been allotted annually to the said child shall cease to be paid, and such amount shall be repaid to the Exchequer annually by the trustees."—(*Mr. Labouchere.*)

Question proposed, "That those words be there added."

*MR. GOSCHEN: The hon. Member trusted that the event for which this Amendment is intended to provide would not occur, and I can assure him we heartily share his hope. The estimate of what would be ultimately necessary to provide for all the Prince of Wales's children was, as the hon. Member knows, a higher figure, £49,000 a year. The question therefore is, what would be a fair composition, taking all the chances into consideration, between our original proposal and the proposal subsequently made? The sum of £36,000 was agreed upon, although it scarcely provides the necessary margin. We are not prepared, under the circumstances, to say that in the unfortunate event of the death of one of the Prince of Wales's children any change should be made in the amount of the annual Grant. The House, as representing the taxpayer, is making an arrangement with the Prince of Wales, by which His Royal Highness's family, in all contingencies, will receive the sum now proposed, which sum is smaller than that originally proposed.

*MR. STOREY: The position of things is this—£36,000 a year is given for the five children, and my hon. Friend has put the hypothesis that it may go to one of the children. I will not put such an extreme hypothesis, I will take the less extreme hypothesis that two of the children might die, and in that case the whole of the £36,000 would go to the other three, though the Government themselves agree that £36,000 is ample for the five. The Government would never have come here with a proposition which they did not think ample. They would have thought £49,000 a little better, but they do not think £36,000 insufficient. What I say is that in case some of the children die the money set apart for them ought to go back to the Exchequer. The intention of the Government seems to be to get as much as they can out of the Exchequer and to give nothing back.

The Committee divided:—Ayes 44; Noes 171.—(Div. List, No. 276.)

*MR. M'LAREN (Cheshire, Crewe): The Amendment I beg to move is to add at the end of Clause 2—

"The trustees shall make an annual return, to be presented to both Houses of Parliament, stating the manner in which they have dealt with the sum granted to them, and showing the amount of the accumulations, if any."

I venture to think that this Amendment ought to be considered by the Government on quite different grounds from the other Amendments, the objects of which were, more or less, to diminish the sum to be granted to the Royal Family, and which may have been considered by the Government as conceived

more or less in a spirit of hostility to the Royal Family. But this Amendment ought to commend itself to the Chancellor of the Exchequer and the First Lord of the Treasury, because it is based upon the solid principle of finance that it is the duty of the House, as the guardian of the public purse, to know in what manner the money voted by it is expended. There is another reason that must have been present to the mind of every hon. Member during these Debates, and that is that if one thing has been more prejudicial to the interests of the Royal Family than another it is the element of mystery which has surrounded these arrangements. It is this element which has created such a great amount of feeling out of doors. There is an idea—which may be dispelled, to some extent, after to-day's Debate—that the savings of the Crown have been exceedingly large; and it is this element of mystery that is so difficult to get rid of. We have had an assurance to-day that these savings have not been as large as some of us believe; but I want to prevent that feeling of dissatisfaction in the popular mind that there are great accumulations being made for the future. Though this Amendment would not prevent the feeling arising in the future, so far as the main sources of the income of the Royal Family are concerned, it would prevent it arising in the future so far as this Grant of £36,000 a year is concerned. We must remember that this Bill is an entirely new development in the matter of Royal Grants. I believe it is absolutely the first time that money voted by Parliament has not been specifically allocated to the person to whom it is granted. This money is allocated to five persons, but in what way the House does not know, and I think the House is entitled to know it. It is likely that the daughters of the Prince of Wales will receive a lump sum, and if that is so, I think it desirable that the House should know it. We should none of us like to see them inadequately considered, and the tendency is to give the sons more than the daughters. The public want to have a guarantee that the daughters will be fairly treated, even though they marry rich men. I trust I am only following the original proposal in asking that the public may know how the money goes. We are face to face with a complete change of policy on the part of the Government. So far as I am concerned, it is a change I regret. We should know what we are proposing for each child and let the matter rest there. Then we are asked to place a discretionary power in the hands of unknown persons to a considerable extent. Her Majesty and the Prince of Wales will, no doubt, have the main voice in the disposal of this money, but we are also putting it in the hands of official trustees, and we do not know what views they may take of the manner in which the money is to be allocated in the future. We may reasonably assume that whilst the Queen and the Prince of Wales will naturally exercise the most influence, other views will also be consulted. The Bill is expressly framed on the supposition that there will be accumulations. The right hon. Gentleman the First Lord of the Treasury has said it is extremely improbable that at the end of eight or ten years there will be any accumulations. He believes there will be accumulations for a few years in order that larger sums may be given subsequently. I do not dispute the right hon. Gentleman's statement. I have no means of knowing whether it is likely to be right or not. But if there are to be no accumulations I shall be all the better pleased. In that case the country ought to know the manner in which the money is disposed of. If the money had been allocated in the manner originally intended by the Government this Amendment would have been unnecessary, because Parliament would have known how it went. Now that we are voting a lump sum, I think it is necessary that we should ask for an annual return to Parliament. It would be the more necessary in the unfortunate event, which we hope is not likely to occur, of the demise of one of these five children. If one of the Princesses should unfortunately die, the amount of money set free would be, comparatively speaking, small, but if it should be one of the sons, a large amount would be set free for distribution. I contend that, on sound financial considerations, the House is entitled to know whether the money is allocated in a way that the House and the country would approve of, and I

cannot conceive why the Government should refuse to accept this Amendment.

Amendment proposed, in page 2, line 29, at the end of the clause, to add the words—

"The Trustees shall make an annual Return, to be presented to both Houses of Parliament, stating the manner in which they have dealt with the sum granted to them, and showing the amount of the accumulations, if any."—(*Mr. W. M'Laren.*)

Question proposed, "That those words be there added."

*MR. W. H. SMITH: I have listened with great interest to the speech of the hon. Gentleman, and he will forgive me if I say that he has failed altogether to realise the object, and spirit, and intention of the Bill, which is to enable the Prince of Wales, with the sanction of the Queen, to make provision for his own family. The assistance of official trustees, in the persons of the Chancellor of the Exchequer and the First Lord of the Treasury, for the time being, is secured, but any of those contingencies to which reference has been made could not by any possibility happen. What does the hon. Gentleman desire to do? He desires to give Parliament power to review the discretion exercised by the Queen and the Prince of Wales in dealing with the affairs of their own family.

*MR. M'LAREN: My Amendment does not imply that. The Bill is absolutely clear in stating that the Prince of Wales and the Official Trustees may allocate the money in any way they may think fit.

*MR. W. H. SMITH: But the hon. Gentleman made use of words to the effect that the country ought to know whether the money was allocated in a way of which they approve, and therefore it would be open to the House of Commons and the country to raise a discussion as to whether proper discretion had been exercised. I believe there is a general desire throughout the country that we should not have these discussions in Parliament, and the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone) only gave expression to that feeling when he said that the opportunities for discussions of this character should be made much less frequent. There can be no doubt that the provision will be made with due regard to the claims of the Heir Presumptive to the Throne, and of the next in succession, and the Princesses. We have stated our view that the Princesses should receive a portion of £3,000 a year, with a Grant of £10,000, and this has to be taken in connection with the provision now made. The House of Commons and the country have had indications of the proportions which the Government thought it right to propose, and the proposition of the Government will no doubt have effect given to it in any appropriation made by the Prince of Wales with the sanction of the Queen and the Trustees. I do not think there is any dissatisfaction in the country with the Grant proposed. I think the proposal has been received with very great satisfaction, except by the hon. Member for Sunderland (Mr. Storey), and I dispute his authority to represent the people of the country, although no doubt he represents a large number of his constituents. The principle has been laid down that power should be placed in the hands of the Prince of Wales to make provision for his children with the sanction of the head of the family, the Queen, and with the concurrence of the responsible Ministers, and from that principle the Government cannot depart. The hon. Gentleman says we do not know who the future Official Trustees will be, but I think he may rest assured that as they are to hold the responsible positions of Chancellor of the Exchequer and First Lord of the Treasury they are not likely to sanction any arrangement which is not fully justified by the circumstances of the case. I could not undertake to place before the House of Commons information which would afford the opportunity which I expressly deny to be in the public interest—that is to say, of discussing the discretion exercised by the Prince of Wales with the sanction of the Queen and Trustees, and I therefore cannot accept the Amendment. No doubt hon. Gentlemen know how these Grants are made. ["How?"] They can obtain the information, for hon. Gentlemen seem to know a great many facts as regards this subject.

*MR. BRADLAUGH (Northampton); This seems to me a reasonable Amendment, and the Return for which it asks does not necesarily mean review.

Many Returns are made to this House in which the House is powerless for review. The Amendment would have a good effect in preventing mystery about the administration of these funds. The right hon. Gentleman will pardon me for saying that I have not the confidence in Official Trustees which he seems to have. I will give him an illustration. By two Acts of Parliament two sums of money were put in the hands of Trustees, £600,000 in the hands of five Trustees, one of whom was the First Lord of the Treasury for the time being, and £330,000, in the name of five other Trustees, of whom the First Lord of the Treasury was also one. The only First Lord of the Treasury who concerned himself at all was Lord Palmerston; and as to the other sum the First Lord of the Treasury was absolutely unaware that any duties were imposed upon him. Neither did his predecessors appear to have taken any active notice of the matter. That was put in evidence before the Committee which sat in relation to perpetual pensions. While I have no doubt whatever that if the official Trustees were possessed with a sense of the duty imposed upon them, they would fulfil that duty; I think sometimes that official trusteeships of that character become very little regarded as a matter of practice. I think this Bill establishes a dangerous precedent by saying that lump sums may be allocated to the parents for Grants to the children, without Parliament having any knowledge of how those lump sums are applied. Of course, I know that we are utterly powerless as against the expression of opinion by the Government. I had refrained from speaking on these Amendments, but I must, in this case, not only give my hearty support to the Amendment, but I hope the mover will press it to a Division, so that our protest may at least be recorded.

MR. HALLEY STEWART: It is perfectly true, as the First Lord of the Treasury has said, that in terms this is a Grant to the Prince of Wales, but it is in reality a Grant to the individual children of the Prince of Wales. Why should we take all this trouble of appointing trustees if in reality the Grant is not made to the Prince of Wales? There is a wide gulf between the demand of the Amendment and the interpretation put upon it by the First Lord of the Treasury. All we wish to secure is that we shall have the healthy moral control of public opinion over the allocations made. We do not want to come here from year to year to find fault with those who will have to report the allocation of money. All we want is to bring to bear that publicity which, as everyone knows on both sides of the House, is the best security for the wise distribution of the funds placed at the disposal of the trustees.

The Committee divided:—Ayes 45; Noes 169.—(Div. List No. 277.)

Question proposed, "That Clause 2 stand part of the Bill."

*MR. STOREY: The Government have persistently not listened to our arguments nor accepted an Amendment to this Bill. We are equally persistent, and you shall not get an inch of this Bill without commentary and Division. I oppose the clause because of what it contains, and what it does not contain. I oppose it because it introduces a new method of dealing with public money. Arrangements are to be made for handing over to trustees money which is to accumulate, and to be allocated in proportions which we do not know. I resist the clause still more strongly because the right hon. Gentleman most unwisely refused the proposal on which we have just divided the House. The right hon. Gentleman seemed to think that if he gave us information it would cause less discussion. But the reason I want information, and I make no secret about it, is that there shall be more discussion. I think there is an enormous disproportion in the Grants to Royal persons, and they should be discussed again and again until the people outside compel Parliament inside to take more reasonable views of these matters. On these grounds I resist the clause, and I will take the liberty of dividing the House.

MR. LABOUCHERE: As will be perceived by this time, I am entirely opposed to the principle of the Bill, but when a Bill does leave Parliament, as a Member of the House of Commons I want to see it drafted in a respectable fashion. I have done my best to alter this clause, and to make it reasonable. I have failed. Just let me

point out to the First Lord of the Treasury what he and his draftsman have done. The clause as it stands now is a monstrous and most unnatural clause. And I will tell the right hon. Gentleman why. The right hon. Gentleman will admit that it is possible that the second son of the Prince of Wales may die. He may have married and had a child; yet this amount of money which is allocated to him, call it £10,000 a year, would go to his brothers and to his sisters, and under no possibility by this Act could one shilling of the sum be handed over to his child. That, Sir, is what the right hon. Gentleman has done with his clause. He cuts off the child from the benefit in favour of the brothers and sisters. I really do think that it is unnecessary to say anything more against the drafting of this clause.

*MR. GOSCHEN: The only thing we have to say in reply to the hon. Member is that he is mistaken in his reading of the clause.

MR. LABOUCHERE: The right hon. Gentleman boldly makes the assertion that I am mistaken. I defy the right hon. Gentleman to prove that.

*MR. GOSCHEN: All I can say is that we have taken the best legal advice on the subject. The matter has been fully considered, and the Bill was drafted by a very able lawyer, and others whose legal ability the hon. Member will not question, have been consulted on the point, and the clause was so drafted as to meet the very objection which the hon. Member raises.

MR. LABOUCHERE: I ask any hon. and learned Gentleman on the other side of the House, if he will take the trouble to read this clause, whether he agrees with the draftsman or me in this matter.

The Committee divided:—Ayes 162; Noes 45.—(Div. List, No. 278.)

Clause 3, agreed to.

Preamble.

MR. LABOUCHERE: I move to omit certain of the words, "and establish the principle that the provision for the children should hereafter be made by Grants adequate for that purpose, which have been assigned to their parents," that is to say, to the grandchildren of Her Majesty. I ask the Committee to look at the scope of the Bill. It seems to me that the words of the Preamble go beyond the title of the Bill, which is "A Bill to make provision for the support and maintenance of the children of His Royal Highness Albert Edward Prince of Wales." It astonishes me that exception was not taken to these words of the Preamble on the Second Reading of the Bill, and the opinion of the Speaker taken as to whether they were in order. I believe they are not, and I hold that the Bill lays down a principle which ought not to be laid down, because the Bill has nothing to do with the children of the younger children of Her Majesty the Queen. I object to any prejudging of what may happen in a future reign. Possibly in a future reign there may be a Civil List that will cover such allowances; but I want to leave the whole matter to the Parliament which will be called together in a future reign. Beyond this, I am against the "finality" of the right hon. member for Newcastle, and do not wish to prejudice the judgment and action of future Ministers. These words go beyond any principle laid down in the Report of the Committee, and beyond all that was contemplated by the right hon. Member for Mid Lothian. We have heard that right hon. Gentleman lauded to the skies by Gentlemen opposite for the speech he made on their behalf and for the votes he has given this evening and yesterday evening for the Government proposal; and I do not complain of that; but I think it singularly ungrateful on the part of the Government to reward the action of the right hon. Gentleman and the strong and unselfish support they have received from him by dragging into this Bill words that are entirely antagonistic to the views he has expressed. I see the right hon. Gentleman has gone away, or I should have claimed his support in this matter. I now propose to substitute for the words I object to the words which appear in my name.

Amendment proposed, in page 1, line 15, to leave out from the word "and" to the word "have" in line 20, and insert—

"Your Majesty's gracious intimation, that no further application to Parliament on behalf of the children of the younger sons and of the

daughters of your Majesty will be made during your Majesty's reign."

Question proposed, "That the words proposed to be left out stand part of the Preamble."

*Mr. GOSCHEN: I think the hon. Member has read in these words more than they meant or were intended to mean. They have no reference to the children of the younger sons or daughters of Her Majesty. The words were taken literally from the Report of the Committee, and I have every reason to believe they met with the approval of the right hon. Member for Mid Lothian, who believed them to be valuable as a precedent.

Mr. LABOUCHERE: I do not pretend to understand the legal English of words in Acts of Parliament, which very often are not English at all; but I think that any layman reading the words I have referred to will agree with me that there is no limitation to the children of the Heir Apparent, but that they apply equally to the children of all the children of the Sovereign, whoever and wheresoever they may be. The word "children" is used as extending to Her Majesty's family.

*Mr. GOSCHEN: As I read the words they mean that where provision is made for children it shall be made in this way—not that provision shall be made for all.

Mr. LABOUCHERE: I think the right hon. Gentleman will admit that the principle is doubtful, but at any rate, although that may be his view, he did not draft the Bill. If the draftsman says the provision was meant to be restricted to the children of the Prince of Wales I am ready to accept that; but I contend that these words do not make such a limitation. Will the right hon. Gentleman make the suggested alteration limiting the Grants to the children of the Prince of Wales? All I want is that this limitation should be inserted in the Bill in clear language.

Sir G. CAMPBELL: I want the Committee to take note that Her Majesty does not wish to press her claim on behalf of the children of her daughters; but in the Preamble of the Bill we have a reference made to "Her Majesty's family," and I understand the family to be Her Majesty's children and grandchildren. With regard to the Amendment of the hon. Member for Northampton, I think he had better take care, as his words are to my mind very dangerous words. He uses the words "During your Majesty's reign," and as I understand it Her Majesty does not desire that the provision should go beyond her reign; and this was the view of the Committee. We have done with the families of the younger children of Her Majesty, but if we insert the words "during Her Majesty's reign" we may be opening the way for future claims.

*Mr. STOREY: What is objected to here is that the words we desire to get rid of would establish a principle for provision to be made out of Grants for this purpose which have been assigned to the parents. You thus lay down a principle which will be a guide to future Parliaments and would be quoted as a precedent in future reigns for the new Parliament in regard to such provision. Now, suppose the Queen should die, and a new Monarch should come to the Throne, that Monarch having children; the Prince of Wales has children already, some of whom are now married and all of whom may marry and have families. Under these words of the Preamble of this Bill, the right hon. Gentleman the Prime Minister of a future day might come to Parliament and say, "It is your duty not only to make provision for the new King, but also for his family and their families." These words, in fact, make a wider application of the public money than was ever made before, and will in effect be the laying down of a principle that will enable future Governments to provide not only for the children of the Sovereign but for the families of the children of the Sovereign. I should be glad if the right hon. Gentleman will consent to insert a limitation which will make the meaning which he himself assigned to the words clearer than they are at present. Will he allow the clause to read thus:

"To establish the principle that where provision is made for the children that provision shall be made out of the Grants that are made to the parents."

If he will do that I will not take advantage of his goodness and fairness on the Report. I believe my hon. Friends will say the same.

MR. LABOUCHERE: No.

*MR. STOREY: Then I will speak for myself. But if my hon. Friend will not make the promise, I do not see any hope of prevailing on the Chancellor of the Exchequer to make the slightest change in the Bill. As far as I am concerned I think that this alteration would be an important improvement.

*MR. M'LAREN: I would suggest to the Government that if they cannot accept this Amendment, they should put in words on the Report to make the meaning more plain.

MR. LABOUCHERE: I am really unable to give any pledge, as I really do not know what I shall think on Monday when the Bill passes through Committee. I shall devote Sunday to reading the Bill.

*MR. W. H. SMITH: The Government are laying down a principle which may be applied on a future occasion, when the necessity arises that a provision for children should hereafter be made out of Grants to their parents. I cannot hold out any hopes that the words which have been adopted in the Committee by a large majority will be modified.

SIR G. CAMPBELL: I am satisfied that the words as they stand are all that can be desired. The provision for the children is "to be made, not out of Grants which might be, but which have been, assigned to their parents."

*MR. STOREY: Will the right hon. Gentleman say whether these words cover the case I have put?

*MR. GOSCHEN: It has been laid down for the guidance of a future Parliament that the proper course would be to make provision, not for each child, but for children generally by Grants to the parents.

Question, "That the words proposed to be left out stand part of the Question," put, and agreed to.

Amendment proposed, in page 1, line 17, to leave out from the word "Family," to the word "have," in line 20."—(*Mr. Storey.*)

Question put,

"That the words 'and to establish the principle that the provision for children shall hereafter be made out of Grants adequate for that purpose which have been assigned' stand part of the Preamble."

The Committee divided: Ayes 146; Noes 42.—(Div. List, No. 279.)

*MR. STOREY: I will not occupy the time of the House many minutes with the next Amendment, but I do hold it is extremely important that there should be a clear and energetic protest on record which may be quoted hereafter, when in a new reign demands are made upon Parliament under cover of the words which are to be inserted in this Bill. It is impossible for us to resist this being paid, but it is not impossible for us to indicate the views of the minority of this House, which may be quoted hereafter, and if the principle is to be laid down its application ought to be limited to the children of the Sovereign and of the Heir Apparent. Therefore I propose the omission of the words "their parents," with the object of inserting afterwards, "to the Sovereign and the Heir Apparent." The Preamble will then read so as to establish the principle that the provision made by the Grant shall be confined to the children of the Sovereign and the Heir Apparent. These words enable us to indicate clearly what we mean.

Amendment proposed, in page 1, lines 19 and 20, to leave out the words "their parents," and insert the words "the Sovereign."—(*Mr. Storey.*)

Question put, "That the words 'their parents' stand part of the Preamble."

The Committee divided:—Ayes 134; Noes 38—(Div. List, No. 280)

THE CHAIRMAN: The next Amendment, which stands in the name of the hon. Member for Northampton, to omit the word "cheerfully," cannot be put without an instruction from the House, as it is part of the framework of the Bill, and it is of so grave importance that it could not be put without special instruction from the House. The Question is that this be the Preamble of the Bill.

MR. LABOUCHERE: But I object to the Preamble on account of the word "cheerfully" which it contains.

THE CHAIRMAN: It is not part of the Preamble. It is part of the granting and enacting words of the Bill, which are not put in Committee at all, and which cannot be modified without an instruction authorising it.

MR. LABOUCHERE: But I object to the enacting portion of the Bill. I am not cheerful.

THE CHAIRMAN: It is part of the framework of the Bill, which is common to all Money Bills, and I say that it cannot be touched without authority from the House. The Question is that this be the Preamble of the Bill.

A Division having been challenged, and the House cleared for a Division,

DR. CLARK (sitting with his hat on): What are the words before the enacting portion of the Bill?

THE CHAIRMAN: "Granting and enacting" are the special words which are used in all Money Bills.

*MR. STOREY: Is it possible to move to re-commit the Bill?

THE CHAIRMAN: That is not relevant to the Question now before the Committee.

Question put, "That this be the Preamble of the Bill."

The Committee divided:—Ayes 129; Noes 38.—(Div. List, No. 281.)

Bill reported, without Amendment; to be read a third time upon Monday next.

COINAGE (LIGHT GOLD) [EXPENSES].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of any expenses incurred by the exchange of, or payment for, gold coins, under the provisions of any Act of the present Session to amend "The Coinage Act, 1870," as respects Light Gold Coins.

Resolution to be reported upon Monday next.

REVENUE BILL (No. 315.)

As amended, considered; Bill read the third time, and passed.

PAYMASTER GENERAL BILL (No. 348.)

Considered in Committee, and reported, without Amendment; Bill read the third time, and passed.

ARBITRATION BILL [LORDS] (No. 267.)

Considered in Committee.

(In the Committee.)

Question proposed, "That Clause 1 stand part of the Bill."

SIR GEORGE CAMPBELL: I desire, Sir, to move that you report progress, and ask leave to sit again. I wish to have this Bill referred to the Grand Committee on Law, which seems to me to be the proper body to deal with it. This is one of the Bills which was slipped through last Wednesday without discussion, and the Government did not even take the trouble to explain its nature. I have an objection to it, but I suppose I should not be allowed to make it at this stage.

THE CHAIRMAN: The House has charged the Committee of the Whole House with the Bill, and it must, therefore, deal with it.

SIR G. CAMPBELL: I will move, then, that the Order be discharged.

THE CHAIRMAN: Order, order! That Motion is not in order.

Clause 1 to 11 agreed to.

Clause 12.

SIR G. CAMPBELL: I am not prepared to go into the details of the Bill. I object to the Bill, and my suspicions have been aroused by the fact that the lawyers have not moved any Amendment to it. If the state of the law which the Bill proposes to consolidate had not been a good one for the lawyers there would have been plenty of Amendments proposed.

THE CHAIRMAN: Order, order! That does not arise on this clause.

Question, "That Clause 12 stand part of the Bill," put, and agreed to.

Bill reported as amended; to be considered on Monday next.

REGULATION OF RAILWAYS (No. 2) BILL. (No. 360.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. PHILIPPS (Lanark, Mid): I notice that Clause 3 of this Bill raises a question of great importance involving, as it does, the safety of trains and passengers. It provides practically that railway servants shall not work more than 12 hours a day, and I am glad that the Board of Trade are thus beginning to take control over the hours of labour. I heartily approve of this principle, and I only regret that the limit has been fixed at 12 hours. In the interests of

railway passengers, and in order to secure increased safety for the traffic, I hold that the hours of labour should be shorter, and when we are in Committee on this Bill I shall move an Amendment placing the limit at eight hours instead of 12. I hope the President of the Board of Trade will see his way to accept that Amendment.

DR. CLARK (Caithness): This is one of the Bills thrown on the Table of the House without explanation. I have been looking at it, and I must say I think it is very unfair for the Government to pitchfork into this House an important Bill of this nature without any explanation. They ought at least to tell us what their intentions are in regard to it. I am glad the hon. Member who spoke last has given notice that, in Committee, he will move to amend the third clause by inserting eight hours for 12. I see, however, that all the Bill proposes to do in this respect is to call on the companies to make a Return of all of their *employés* who work more than 12 hours, and I should like to see the Bill amended so as to render it illegal for any railway servant to work over 12 hours in one day. It is not right that the safety of the hundreds of thousands of persons who travel should be left in the hands of men who are working more than 12 hours a day. Now, railways are a monopoly, and I consider that Parliament should have more control over them, and that it should step in and prevent men being compelled, through the competition in the labour market, to work longer than is desirable in the interests of the public safety. Clause 4 raises the question of tickets, and I should like to see the Government modify the existing regulations as to return tickets with a view to allowing passengers to use an out-of-date return half on payment of a sum which would make up the difference in price between the return and the single ticket. In Committee we will try and amend this Bill in the interests of the travelling public. But I repeat that I object to this system of throwing a Bill before us without explanation.

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH): I think the accusation of the hon. Member is most unfair. Hon. Members who have given attention to this subject know very well that this is the second Bill introduced this Session, and that in moving the first I explained its provisions and effect. Since then I have been in communication with various persons in the country, and have found there would be so much opposition to some of its clauses that it would be impossible to pass it this Session. I therefore withdrew that Bill and introduced this, a modified Bill, carrying out certain important provisions with regard to public safety, to which I believe no objection can be taken. With reference to the observations of the hon. Member for Mid Lanarkshire, it may be well to omit the figure 12 and leave the number of hours beyond which cases of overtime should be returned to be fixed by the Board of Trade from time to time. Any attempt to limit the work of railway servants to eight hours a day and no more would, in my opinion, be not only an impossibility, but would be hurtful, if it could be carried out. What would happen if a man had been at work eight hours and an accident happened? Is he not to remain in order to give what help he can because he would be breaking the law? If the hon. Member for Caithness presses his view the only result will be to make it impossible to carry the Bill this Session. I would further say that there are provisions in the Bill of great importance to the public safety at which the hon. Member has not apparently even looked. The first clause, for instance, provides that the Board of Trade may from time to time order a railway company to do within a time limited by the order any of the following things:—To adopt the block system on all or any of their lines, to provide for the interlocking of points and signals on all or any of their lines, and to provide for all their trains carrying passengers continuous brakes, complying with certain requirements Let me state briefly to the House some of the facts which appear in the Report to the Board of Trade upon the accidents which have occurred on railways in the United Kingdom during the year 1888, which Report will shortly be in the hands of hcn. Members. I find that these accidents are separated under several heads. Head C relates to accidents from trains entering stations at too great speed. The Report

says that of these one accident might have been avoided had there been a continuous brake upon the train; that in another accident the automatic action of the vacuum brake prevented any rebound or consequent injury to the passengers; and that in a third the non-automatic vacuum brake failed to act on the connecting pipe becoming detached, which could not have occurred had the brake been automatic. Under another head, E (Collisions at junctions,) the Report says:—

"Of two of these collisions a proper system of block working would probably have prevented the occurrence, and one collision, had the whole instead of a third of the vehicles been fitted with continuous brakes, might have been entirely prevented or its effect lessened."

The accidents at sidings were 16 in number, and three of them were due to the want of absolute block working, two to want of an efficient continuous brake, and in two instances attention was drawn to over long hours of work. Under the head of collisions between engines or trains meeting in opposite directions there were eight accidents. One of these was due to an improper mode of working the block system; one to a disregard of the rules for working, and the absence of block working; one to a want of proper interlocking arrangements. In one instance the continuous brake appeared to have done good service. With regard to the terrible accident at Armagh, by which 78 persons were killed and 260 injured, the official Report to the Board of Trade says:—

"This terrible collision would in all human probability have been prevented had the excursion train been fitted with an automatic continuous brake instead of (as it was) with only a non-automatic continuous brake. . . . Had the block system been in operation the ordinary train would have been standing at Armagh platform, . . . and the results of the collision would have undoubtedly been much less serious."

I think I have said sufficient to show the House the importance and necessity of provisions contained in the Bill which will enable the Board of Trade to enforce upon recalcitrant railway companies regulations which experience has shown to be necessary to safety, and I trust that hon. Members will do their best to aid me in passing the Bill into law.

*Mr. CHANNING (Northampton, E.): I am sure that we who have followed the history of this question will entirely acquit the President of the Board of Trade of a desire to smuggle the Bill through the House or in any way to disguise the nature of its provisions. The proposals now before the House have been repeatedly discussed, and at some length by myself and other Members of the House. There are certain points in regard to this Bill to which I should like to draw attention.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*Mr. CHANNING continued: The hon. Member below the Gangway (Mr. Philipps) has drawn attention to the question of overtime and to Returns proposed in the Bill, and I should like to call the attention of the right hon. Gentleman and the House to the fact that the wording of the clause does not correspond with the overtime Returns to which the Board of Trade consented, and which were moved for in another place by Lord De La Warr. These included a column, giving the number of instances in which railway servants, after having been more than 12 hours on duty were called upon to resume work without an interval of nine hours' rest, and giving the number of hours of rest before they were sent out again. I wish to suggest to the right hon. Gentleman that this should be made quite clear in Clause 3. I am glad to hear he is willing to make the rule for the number of hours an elastic one; and I heartily support the view that anything like a compulsory eight hours' clause would be an impossibility for railway work, and, in fact, the majority of railway servants are against it, and I sincerely hope no hon. Member will imperil the Bill by the attempt to carry such a clause. In these observations, which I desire to make brief, I cannot help expressing my very great regret that certain portions of the original Bill as introduced by the right hon. Gentleman have, owing to the difficult position in which we are placed by the approaching close of the Session and the strong objections raised by some hon. Members, been withdrawn. I am especially sorry the right hon. Gentleman has not seen his way to retain the clause in reference to coupling. Of course I should not be in order in discussing the clauses now, but I should like to say

that the Executive Committee of the principal organisation of railway servants have expressed very great regret that this question of couplings has not been dealt with. I think, if the President of the Board of Trade had introduced a coupling clause more in the form in which I dealt with the subject when I had a Bill before the House, and which merely demanded a certain standard of safety in the matter of couplings, instead of drawing the clause in a way that excited special opposition, it is probable the objections might have been met. But I refer to that and to other points more with the view of emphasising them, that they may be dealt with in the future. I do not understand that the right hon. Gentleman admits in the least that he was wrong in introducing these provisions in the original Bill. I believe he does not abandon the principle of dealing with the danger of men going between the buffers of the wagons, and does not abandon the possibility of dealing with this question in the future. I would say the same in regard to another clause omitted from this Bill, the provision as to subways. Upon this very strong feelings have been expressed by groups of people in many parts of the country who have been in communication with myself, and whose views I have felt it my duty from time to time to bring before the notice of the House and the Board of Trade by the best means in my power. It is a subject I sincerely hope the right hon. Gentleman has not dismissed from his mind. I am sure he must be as aware as I am of the great importance of providing for the safety of the public at any rate at crowded junction stations. The right hon. Gentleman naturally bases his Bill on the terrible accidents that have occurred owing to the use of non-automatic brakes, and the partial failures of companies to carry out the "block" system. I have given as much attention perhaps as any Member of the House to the very careful, the admirable Reports of the Inspectors of the Board of Trade, and I think the railway companies do themselves injustice when they quarrel with these Reports. These Reports are most fair to the companies, while the real cause of an accident is indicated with scientific accuracy. A railway company which has distinguished itself by its admirable safety arrangements,—the Brighton Railway Company,—two years ago issued a return of the number of instances in which the automatic brake had prevented serious accidents on their line. Now when we have a company voluntarily coming forward and giving this testimony, and when we have these Reports of Inspectors as to the value of automatic brakes, the case for the present Bill is greatly strengthened. I am sorry that there is no provision in reference to communication between passengers and driver and guard. I will not trouble the House with instances, but there are many in which accidents might have been prevented or mitigated by electric or other means of rapid communication. I mention these matters simply to express the hope that the right hon. Gentleman will, if he has not the opportunity now, give some undertaking with regard to them in Committee, that he will deal with them, meeting the objections of the companies as far as possible, but insuring the safety of the public and railway servants. Meanwhile I support the Second Reading of the Bill most heartily, and hope it will pass unanimously.

*MR. BRADLAUGH (Northampton): I do not intend to discuss the Bill now, as the right hon. Gentleman has intimated his intention of considering Amendments to Clause 3. I only wish to say that in the returns furnished of the number of hours of employment, day and night work should be distinguished, because the night work involves the greater strain, and also the intervals of rest between the periods of employment should be marked. I desire also to express regret that anything like opposition to the Bill should have been offered from this side of the House, and my opinion that it would be unwise for Parliament at any time to impose restriction on the hours of labour.

MR. MOLLOY (King's County, Birr): I sincerely regret that the Bill was not introduced sooner. As to the appearance of opposition from this side, I can only say that, so far as I know, there will be none that will impede the passage of the Bill into law. There are some points of the Bill that I would like to criticise in a friendly spirit, but I will not do so now because we shall have another opportunity for doing so.

But I think the right hon. Gentleman if he looks at Clause 1 again, will see that it is somewhat confined and limited in its character to special kinds of brakes. I should like to see powers taken by the Board of Trade to enable them to introduce such rules and regulations as would cover future inventions for the same purpose. I am scrry to note the absence from the Bill of any attempt to deal with what I must call something more than the convenience of third-class passengers. This class of passengers are the mainstay of the whole railway system of the country, but they have to undergo sufferings upon long journeys, such as those in a better position are hardly aware of. I think it is monstrous that these, the strongest supporters of the railway companies, should be treated in the way they are. I will not go into details with which perhaps the right hon. Gentleman is well acquainted. I will confine myself to a general allusion to sanitary arrangements, and when the proper time comes will endeavour to introduce legislation for the better treatment of those who are compelled to travel long distances by cheap and slow trains. I seize the present opportunity of giving public notice that next Session I shall oppose the introduction of every railway Bill, private or otherwise, which does not contain provisions for the better accommodation of third-class passengers. I hope that an honest attempt will be made to secure humane treatment to persons who are compelled to go long distances third class by slow trains.

*Mr. M'LAREN (Cheshire, Crewe): I wish to express my acknowledgments to the right hon. Baronet for having introduced this Bill, and I hope he is determined to press it should it meet with opposition. I cannot, however, but express my regret that the coupling clause has been omitted. No doubt the clause as it stood was too stringent, but it is a most important question, and involves the lives of many of the servants of railway companies. The coupling clause was the one clause which made the Bill valuable to railway workers, for there are a sad number of men killed every year by being crushed between the buffers of goods trucks. It is a matter for consideration whether one ought not to try even in the Committee stage to obtain a clause on this subject. I should be sorry to do anything to imperil the Bill, but if the right hon. Gentleman could see his way to introduce some more moderate clause than that which was originally in the Bill, or to accept some moderate suggestion from an independent Member, I am sure it would meet with little resistance—so little resistance that it would in no way endanger the passing of the Bill. If the Government choose to pass the Bill they can do it, as everything depends on the place they put it on the Paper as an Order of the Day. Though I think the original coupling clause was too strong, and gave the Board of Trade too much power, I think a modified clause might be carried without much opposition. But even if the Government do nothing as to coupling in this Bill, I earnestly hope it is the intention of the right hon. Baronet to deal with the matter in some satisfactory manner next Session. It is not right that a few interested persons—not railway companies so much as owners of private railway wagons—should be allowed to stop legislation which is so essential to the working men of the country. I do not think the majority of the House would approve of such opposition as that to which I refer, but even should there be strong opposition, I do not think the Government could spend its time more advantageously to the interests of the country than in pressing forward such Bill. I did not hear the speech of the right hon. Baronet in moving the Second Reading of the Bill. Probably he referred to this matter, but if he did not, perhaps he will be kind enough to take note of what I say, and will deal with the subject, if not this Session, at all events next year.

Mr. BRUNNER (Cheshire, Northwich): I do not know how it may be with Gentlemen who differ from me in regard to this matter, but I must say for myself that I was altogether unable to understand the observations of the hon. Member behind me (Mr. Molloy.) It would be a very serious thing if the Government in its attempt to protect the lives of passengers by rail, and the lives of working men, should take on itself to decide what form of carriage

what form of coupling and break, is the proper form for railway companies to use. I am of opinion that the lives of passengers and railway men will be safer in the long run, if these matters are left in the hands of those who understand them best. I cordially approve of the pressure of public opinion being applied, through this House or through the Press, to railway managers, to compel them to consider both the safety of the public and the safety of their men; but if we endeavour in this matter—as we have, in my opinion, sadly too often endeavoured in the past—to give Government officials the power to decide what is the precise form of appliances which shall be used in connection with railways, we shall not be providing for the safety of the public or the safety of railway servants. I am glad now to miss from the Bill the clause providing that the form of the carriage shall be such as is approved by the Board of Trade, and with regard to Clause 4, which may possibly lead to a little confusion, I should like to ask a question. Clause 4 proposes that a passenger by a railway shall either produce a ticket or pay his fare, or give the officials his name and address. The bye-laws of a good many companies provide that if a passenger is found in a railway carriage without a ticket he shall be compelled to pay the fare from the point at which the train started. I do not think it ought to be put in the power of the Railway Company to demand this as a matter of right. The officials ought to be in the possession of evidence on the subject, and if they are not I think they ought to be left to suffer from the consequences of their default. At any rate, it does frequently happen that a passenger without a ticket has not in his possession, and probably has not in the whole world, the amount of money necessary to pay the fare from the point at which the train started. I do not know whether it will be convenient or even possible to clear this matter up on this clause, but if it can be done it should be done. I trust that Parliament will do this act of justice, and will prevent railways for the future from making this claim.

Question put, and agreed to.

Bill read a second time, and committed for Monday next.

FACTORS BILL [LORDS.] (No. 310.)

As amended, considered.

*SIR J. LUBBOCK (London University): I should generally be very chary of proposing to alter any Bill which has gone through the Grand Committee; but, as a matter of fact, when the clause to which I take exception was under discussion in the Committee, several of those who were interested in the question happened to be absent, and the Committee was by no means full. I would ask the Committee to look at the clause. It says—

"When a mercantile agent is with the consent of the owner in possession of goods or documents of title to goods, any sale, pledge, or other disposition of the goods made by him"

should be valid. Now, surely, this is sufficient. But if the words "when acting in the customary course of his business as such agent" are retained, they will impose on the purchaser the additional obligation of proving that the sale or pledge is in the usual course of business as such agent, and throw an additional obligation on the purchaser or lender. I have consulted several mercantile Members of the House, and the hon. and learned Members for Inverness and Dumfries, both of whom think that these words ought to be omitted. I am sorry that they are not present. But it was not expected that the Bill would have come on so early. I believe that the words would open the door to endless litigation, and I hope the Attorney General will consent to omit or modify them.

Amendment proposed, in page 2, lines 5 and 6, to leave out the words "when acting in the customary course of his business as such agent."—(*Sir John Lubbock.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): The hon. Baronet brought this question before the Grand Committee, and I stated at the time that, so far as I could judge of such a technical matter, I thought the clause an exact representation of the law as it stands. I have consulted Lord Herschell and my learned Friend the hon. Member for Inverness. Perhaps the substitution of the words "when acting as

a mercantile agent" will meet the views of the hon. Member. If he will withdraw his Amendment I will move to insert those words.

*SIR JOHN LUBBOCK: I am much obliged to the right hon. Gentleman, and will accept his suggestion.

Amendment, by leave, withdrawn.

Amendment proposed, in page 2, line 5, to omit the words "customary course of his business as such agent," in order to insert the words "ordinary course of business as a mercantile agent."—(*Sir R. Webster.*)

Amendment agreed to.

Bill read the third time, and passed.

MARRIAGES (BASUTOLAND, &c.) BILL [LORDS.] (No. 352.)

Order for Third Reading read.

*MR. BRADLAUGH (Northampton): It is quite understood, I think, that the point raised by me rather informally on this Bill yesterday will be dealt with?

*SIR R. WEBSTER: We are prepared to provide for instructions to the High Commissioner not only as to the particular point raised by the hon. Member for Northampton, but also as to the other conditions as to notice, and the application being made by the survivor of a marriage.

Bill read the third time, and passed.

COUNCIL OF INDIA BILL (No. 281.)

Order read, for resuming Adjourned Debate on Question [25th July], "That the Bill be now read a second time."

Question again proposed.

Debate resumed.

*SIR G. CAMPBELL (Kirkcaldy): I consider this Bill to be one of great importance, and I must express my surprise at the Government having tried for months, without sufficient discussion, to pass the Bill after 12 o'clock at night, when those who are opposed to it happen to be away. Not only I, but many Members who sit on the Benches opposite, have a good deal to say about this question. The Bill is a most important one, and I must say I think we have been hardly used in having had the Bann Drainage Bill put down before it. It was only by accident that I found out that the Bann Drainage Bill was not to be proceeded with, and it is only because I happened to intimate to several Members who are interested in this Council of India Bill what I had discovered, that anyone at all interested in it is present to discuss the measure. In the few words which the Under Secretary for India addressed to the House at five minutes to 12 the other night, he spoke of the Bill as intended to effect an economy in connection with the Council of India. Well, in my opinion, if this be a matter of economy, that economy might be effected in another way by a reduction of the salaries of the Members, instead of a reduction of their numbers.

MR. T. C. BARING (London): I rise to order. To the best of my knowledge, the hon. Member has already spoken on the Motion.

*SIR G. CAMPBELL: The hon. Member is entirely wrong. I was speaking at 12 o'clock the other night, when the Debate stood adjourned, and I think it very wrong on the part of the hon. Member to attempt to burke discussion. I am sure that the gentlemen serving on the Council would be willing to serve at reduced salaries of £800 instead of £1,200, most of them having either pensions, annuities, or other employments. I said the other night that I believe a large reduction in the number of members of the Council means the beginning of the end—the beginning of the attempt to get rid of an independent Council and the approximating of the body to the position of mere Civil servants. I doubt whether the Council is as efficient as it ought to be, and I think we ought to make it efficient or get rid of it altogether. The burning point of this most important question is whether we are to have a real Council to control the Secretary of State for India and to act as a buffer between Parliament and India, or to have a limited number of councillors whose advice the Secretary of State may take or leave. I say you ought not to make the change now proposed without a full and complete inquiry, but limited to the machinery in this country for controlling the Home Government of India. That is an inquiry which was promised by the noble Lord the Member for Paddington when he was Secretary of

State for India. That promise has been repeatedly made to us by different Secretaries for India. We have been repeatedly promised inquiry into the Home Government of India, but no less than 31 years have elapsed since we formally took over the Government of India, and yet the long-promised inquiry has not come. It has always been acknowledged that inquiry is absolutely necessary in regard to the control of the finances of India. The Act regulating the matter has been open to a variety of constructions, and has led to great differences in practice, and the question is whether we are to have a Council entrusted with real power of controlling, or a mere body of expert advisers to the Secretary of State. The intention of Parliament by the Act of 1858 was to make the Council analogous to the Board of Directors of the old East India Company, which acted as a kind of buffer between Parliament and the Indian Government. One of the clauses of the Act is to the effect that the Council is, under the general direction of the Secretary of State, to transact the business in the United Kingdom in relation to the Government of India. No doubt subsequent clauses give the Secretary of State power in exceptional cases to overrule the Council, but that is a very different thing from governing by the Secretary of State advised by the Council. The power of the purse is a very great power. Who controls the purse controls the country. By another clause of the Act of 1858 the Secretary of State has no power in financial matters to overrule the Council, and in such matters he can do nothing without the consent of the majority at a meeting of the Council. That seems to me a very strong provision indeed, and one that puts the Council in a very independent position. And I have authority for that reading. I find that the Under Secretary for India, who, always ready enough and successful enough in claiming for his Department whatever authority was its due, when pressed as to the question of finance asserted that the House had carefully divested itself of control over the finance of India. But notwithstanding this declaration, it was different in the India Office. British Ministers who had held office as Secretaries and Under Secretaries of State did not like to be controlled at all, and therefore they did all they could to whittle away the control over the finances intrusted to the Council of India by Parliament. The doctrine that had been held by several Secretaries of State was that the finances were not controlled at home, but that they were controlled by the Government of India; and attempts had been made successfully to restrict the control of the Council to petty grants of money made in this country. If Her Majesty's Government wish to weaken or destroy the Council of India let them do so fairly in the light of day by a measure aiming at its object directly and frankly explained to Parliament, and not by a measure of this character, attempted to be rushed through its stages at midnight and at the fag end of the Session. Let the country have a fair opportunity of considering all that was involved. We must remember that India is an enormous empire with an enormous income, great provinces, and a vast population whose interests there must be great difficulty in representing. As a matter of numbers I do not think 10 is sufficient. For years there has been no representative of Bengal, with its 70,000,000 of people, nor of Assam, and the Central Provinces, and Burmah. These are great departments which are not represented, and which ought to be represented. My hon. Friend, who is likely to second this Motion, has a Motion on the Paper which seems to be very reasonable, and which suggests that there is no representation of the medical department, to which India owes so much, and to which, in future, I hope we will owe a great deal more. I think it is most desirable that on the Council of India you should have a representative of medical men. And I believe it is not so much a matter of money if you desire to establish a Council which shall control the Secretary for India, for there are plenty of Anglo-Indians of great experience and ability, who seek not so much for money as for honourable employment in connection with India; and many admirable men, both paid and unpaid, would render most excellent service to the country. For my part, I very strongly object to that part of the Bill which does not directly diminish the number of

he Council, but leaves to the discretion of the Secretary of State for the time being whether he will do so. Seeing the period of the Session at which we have arrived, I do not think we ought to hurry the matter. At the present time there is only one vacancy in the Council. It might be filled temporarily, and the Government might grant a limited inquiry, not going into the whole question of the Government of India, which I grant is far too large. ["No!"] That is my opinion. I should be very glad if we could get it to be a large inquiry; but I ask for the limited inquiry which the noble Lord the Member for Paddington promised. This Bill only deals with the Home Government of India, and I want the inquiry before anything is done. I hope, therefore, that the Government will not press this Bill too hurriedly at the fag-end of the Session, but that they will take a little time, and give the inquiry promised, and then, if necessary, bring in a Bill next year.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words, "This House, while approving of any economy or reduction of salary that may be possible, does not approve of a serious change in the Council of the Secretary of State without a full inquiry into the constitution and working of the official body in this country by which the Government of India is supervised." —(*Sir George Campbell.*)

Question proposed "That the words proposed to be left out stand part of the Question."

*Sir W. GUYER HUNTER (Hackney, Central): Mr. Speaker, I find by the rules of the House that I am precluded from submitting the Amendment which I have on the Paper, in consequence of one having been proposed by the hon. Member for Kirkcaldy, and I can, therefore, only express approval of its terms—

"That no change in the constitution of the Council of India will be accepted which does not make provision for a medical officer being placed on that Body."

I think the Council of India is not a sufficiently representative body. It was established in 1858, on the transference of the Government of India from the East India Company to the Crown. By the Act of 1858 it was settled that the Council of India should consist of not less than 15 members. By Clause 10 of that Act it is provided that the major part of the Council shall be composed of persons who have served or resided in India 10 years. Clause 16 states that after its first formation the supplying of vacancies in the Council shall rest with the Secretary of State. How is it, then, I would ask, that during all those years between 1858 and the present time there has not been an Indian medical officer appointed to the Council? If the Council it is to be a representative body, surely it is only reasonable and just and fair that a medical officer of Indian experience belonging to one of the largest Departments of the Government of India should be entitled to a seat on it. Since the Indian Council was instituted there have been many Indian medical officers who have received the fullest confidence of the Government, and were decorated by the Crown on account of the way in which they have carried out the important duties confided to them. Statistics of the greatest importance affecting the health, welfare, and prosperity of 250 millions of people are received from the Medical Department in India every year by the India Office; and yet there is not an officer on the Council of India who is, in my opinion, in a position to deal with them. Clause 10 does not in any way preclude a medical officer from being appointed, and I therefore ask how it is that a medical officer has never yet been appointed to deal with these huge statistics received every year from India? The present Bill contemplates a reduction of the Council from 15 members to 10 at the option of the Secretary of State; but before such a power is conferred on the Secretary of State, I think some inquiry ought to be made into a matter which is of such grave importance to the people of India. I trust that the House will take into serious consideration the Amendment of the hon. Member for Kirkcaldy, and not pass the Bill until there has been a full inquiry into the constitution of the Indian Council.

*Mr. BRADLAUGH (Northampton): Sir, I have no intention to oppose this Bill, which is a small one. I suppose the Government will at once say that it is difficult enough to get a small Bill through this Session, and that a large one would be impossible. But I have

some justification for making one or two observations. Very early this Session I obtained a first place in the Ballot for a Motion relating to the Government of India at home and abroad. I am deprived of that by the Government. I obtained afterwards a second place, and was deprived of that, too. The difficulty of those who consider the Indian question is that there is no occasion with you in the Chair, Sir, on which it is possible to be sure of any discussion relating to Indian affairs. The hon. Member for Kirkcaldy has moved an Amendment, which, if it became the substantive Motion, I should ask to amend, because I utterly differ from him in thinking that any such limited inquiry as he proposes would be sufficient or useful. The reason why I do not oppose the Bill is that it is better to have some economy than none at all. But the economy is not made certain by this Bill. It is in the discretion of the Secretary of State for India for the time being, and there is a very strange peculiarity of change in the wording of the Bill, so far as it deals with these appointments. I do not know whether it is a draftsman's peculiarity, or whether there is a hidden meaning in it. The Bill speaks of these appointments by Her Majesty; but, for some reason or other, the Secretary is substituted for Her Majesty. I quite agree, if the appointments are to be on Ministerial responsibility. There is the difficulty, in relation to the Secretary for India, that we have no means of objecting to him. In the case of every other Member of the Government, the salaries being paid out of the Votes, we have some opportunity of dealing with the various questions which arise. The whole cost of the Indian Home Government is paid by the people of India; the House has no control over it; and there is no manner of means by which we can make the Secretary for India or the other Indian officers amenable to this House, except in direct Vote of Confidence in the Government, which it would be almost impossible to get anyone to listen to. I object that there is much greater need of the general reform of the Legislative Councils than the reduction of the India Council. I object that there is no evidence that the Council of the Secretary of State for India keeps itself *en rapport* with the Indian people. And it is perfectly certain that there are no sort of relations between it and the English Parliament. The only thing the Secretary for India does, in answer to questions he may be presented with from different portions of this House, is to give us as little information as he possibly can and when it is of comparatively little use to us. If that is all that the Council for India does, I say there is no justification for its existence. I understand the hon. Member for Kirkcaldy to be puting in a sort of plea *in formâ pauperis* for a number of estimable gentlemen connected with the Government of India, with a view to their employment here. That is not a view which commends itself to my mind. There is no evidence, as far as the House of Commons can deal with the matter, that the Council is of the slightest help to the Government of the country. It is suggested that people of India regard it as standing between them and many legitimate reforms, and that they are therefore opposed to its continuance in its present form. When next Session comes, if it ever arrives, I propose to try and submit a scheme of reform for the Council of India, and I can only now express my deep regret that the Government should bring in this amending Bill not dealing with the whole affairs of India, but limited to such a small matter, withholding at the same time all information concerning it. Apparently, the Under Secretary for India has made no inquiries into this matter. If he has, he has kept the result to himself; but I do suggest that the answers he has given in the House this Session have shown his utter incapacity with regard to it.

*GENERAL SIR LEWIS PELLY (Hackney, N.): I notice that whenever an Indian question comes before the House a certain number of hon. Members are anxious to have a count, while the hon. Member for Kirkcaldy is always ready to extend the subject of the Debate. On this occasion the question before us is exceedingly limited, and it is contained within one clause. There is a great deal to be said for what the hon. Member for Kirkcaldy has stated as to the necessity for some inquiry to be made in regard to a certain Constitutional matter; but that is not the business before the House,

and we must confine ourselves to discussing the provisions of this clause. Now, I see it is provided that the Secretary of State, if he thinks fit, shall place on record his intention to abstain from filling up any vacancy on the Council. Supposing, however, that a vacancy occurs on the Council, and the Secretary of State does not record "his intention to abstain from filling any vacancy in the Council of India," it is possible that the vacancy might remain for an indefinite period, and I think that such power should not be left to the Secretary of State. There should be some sort of proviso introduced into the clause stating that such intention shall be recorded within a specified period so as to render it obligatory on the Secretary of State either to fill the vacancy or record his opinion within a short period of time. There are many other points concerning the India Council which I should like to deal with, but I fear they do not fall within the scope of this Bill. It has often occurred to my mind that we might have fresher blood in the India Council. There is no reason why men serving in India and passing from appointment to appointment should not pass, say, five years in England and then resume their careers in India. In such a case the man appointed would not remain long enough in England to forget his Indian work, or to deviate from the rules and traditions of the Indian Service, while his experience in both countries would be fresh and valuable to both. As the India Council is merely a consultative body, it might also be of advantage to introduce two, or probably more, experienced, trained, and highly-placed natives of India on it, so as to more amalgamate the Home and Eastern opinions into that Indian Empire, which is after all, as Mr. Disraeli said, a matter of considerable importance to this country. I think also that a consultative body of Indians might advantageously be constituted in India. One great defect in India as compared with this country is the Empire lacks a great and expressive body of upper middle class, and middle class; while we in England are a compact, well-organized body right through the social system from the Sovereign to the masses. There should be a sort of Council in India somewhat resembling our Privy Council, on which Indian gentlemen of the highest positions could be called up to serve when the Viceroy should chose to receive them. Such a Council would, I think, enable the Viceroy to consult Indian opinion, and to receive suggestions on any great or delicate question of taxation or political change, and thus to render this Body a channel for communicating with the taxpaying population of India.

MR. J. G. SWIFT MACNEILL (Donegal, S.): I do not think I should be justified in forcing a Division on this Bill, although I must confess that I am opposed the principle which it embodies. I look upon it as a feeble attempt to change the administrative system of India, while I cannot help thinking that any effort to grapple with the reform of Indian Administration ought to be complete, final, and far-reaching. Now, Sir, this is a proposal to reduce the number of members of the India Council from 15 to 10. What is this Council? I have no hesitation in saying that the India Council, whether designedly or not, is so afraid that it screens from the eyes of the people of this country the true nature of our Indian Administration, which is a despotism, pure and simple. The India Council is one of the many contrivances—and some of them are of astonishing ingenuity—by which the people of this country are kept unenlightened on Indian Government. Mr. Disraeli, in 1851, asked what is the Government of India? Now, Sir, I do not know in whom the Government of India lies or on whom to fix the responsibility, but I say that this Council of 15 men is one of the many screens by which the responsibility of officials to this House is kept in the dark. John Bright once compared the Government of India with that of Russia; he said that both were precisely the same, only that the population of India was three times that of Russia. I imagine that hon. Members who have preceded me in this Debate will agree that any true and effective reform of this Council ought to lie in the direction of placing it in touch with the people of this country as well as with the people of India; to make it, in short, a truly representative Council. I do not think that at the present time there could be an absolutely elective

Council, but I do say that the representative element might be gradually introduced both as regards India and as regards the people of this country. I think the introduction of this Bill is a striking testimony, small as it is, to the efforts of the earnest men, among whom the junior Member for Northampton stands foremost, who have in season and out of season pressed the subject of India on the attention of this House. I do not, however, think the Bill will do much good; on the contrary, it is rather calculated to do harm, but it is significant as showing at all events that the Government are conscious of what is happening there; it shows that they are keenly alive, first of all, to the growing interest and sympathy of the people of this country with India; secondly, to the rise of public opinion in India itself; and, thirdly, to the necessity of making special provision for the great calamities and famines which occur there. This Bill is really a kind of concession to the feeling in England that something must be done—a kind of salve to the national conscience. But, after all, what is proposed is a poor remedy. To reform the Government of India by knocking five men off the present number of the India Council is simply to give a shabby coat of moral whitewash to the sepulchre of corruption and misgovernment in India. I think the term "Indian experience," as applied to members of the Council, is too vague; it might cover the case of an hon. Member who has travelled for a few months in India.

An hon. MEMBER: Ten years' residence in India is the qualification.

MR. MAC NEILL: I thank the hon. Member. That point had escaped my notice in the examination of the Indian statutes. After all, what do the members of the Council do? what power have they? They have a right to enter a protest, if they do not appove of the action of the Secretary of State; but as a fact, from 1858, when the Council was established, down to the present time, there is no record of a single protest on their part, and we are utterly in the dark as to what goes on in the Council. Should all the 15 object to the action of the Secretary for India, they have no power to stop him; he can carry the day in spite of them. In fact, they seem to do nothing but receive their salary. The Government of India is an irresponsible Government, and I agree that there should be a complete and thorough investigation into affairs connected with Indian Administration in this country. The proper method of reform is not to reduce the number of the members of the India Council by five, but to modify its constitution and introduce the representative principle. We want this country to take into its own hands the direct responsibility for Indian Government; we want the Indian Government to become directly responsible to Parliament. An Act was proposed during the Premiership of Lord Palmerston, which provided that the Secretary of State for India should be assisted by nine officials, and it was very bitterly opposed. Then came Mr. Disraeli's Act, which proposed that the Council of India should consist of 18 people, nine to be nominated by the Government, and the remaining nine to be obtained by some system of election; for instance, four were to be nominated by English natives in India, and five were to be elected in great commercial centres—such as London, Liverpool, Manchester, Glasgow, and Belfast. That, however, was not carried. I do suggest that instead of initiating reform by reducing the number of the India Council, it would be better to introduce the elective principle as far as regards five of the members, of whom two might be elected by the English population in India, for one of the bitterest complaints of Englishmen in India is that they have no voice whatever in the management of the affairs of that country. There is a still stronger objection to the Bill, and that is that the Council of India as it stands is a complete reversal of the system under which it was established, and any change in the Council at the present time would be to endorse that reversal. I am sorry there is no one of Indian experience on the Treasury Bench to answer me.

SIR R. N. FOWLER (London): The Secretary for War is here.

SIR GEORGE CAMPBELL: Move the adjournment of the Debate.

MR. MAC NEILL: I hope the natives of India will see how their interests are

treated in this House by the Government of India. I have the interests of the natives at heart; I have the interests of suffering humanity at heart. I have taken the trouble to go into these matters; I make certain charges against the Government of India; and if those charges are wrong then they ought to be refuted. Why is the responsible Minister of the Crown not present to-night? Again, I repeat that this Council is one of the many contrivances for concealing from the people of England the true nature and the despotism of the Indian Government. I will take the hint of my hon. Friend and move the adjournment of the Debate, on account of the Under Secretary of State for India not being in his place, or perhaps I had better do it at the conclusion of my speech. I charge the Indian Government with having reversed their policy since 1870. I say the original arrangement was that all Government measures should be initiated by the Indian Government and reviewed by this Council of 15 gentlemen, and that, finally, the Secretary for India should either approve or veto the Bill. But that is now all reversed. This Council is a mere gingerbread organisation. I ask the House to bear this in mind, and to attempt to realise the sufferings of the 200 millions of their fellow-subjects in the far East. Let it exercise its great powers on behalf of these people, let it appreciate its vast responsibilities towards them. For whom does this Council legislate? Whom does it advise? The State income of India which these gentlemen have the power of dealing with, is almost an incalculable sum. It amounts to £77,000,000, and of that amount not one penny is contributed by the free will of the people. In 1837 the income of the United Kingdom was £30,000,000 less than that of India is now. I have always found that Gentlemen on the opposite side of the House, when their instincts as gentlemen and Christians and human beings are appealed to are ready to respond to the appeal, and I ask them to look at the facts of this case in the interests of humanity, and not to allow matters of this kind to be rushed through the House of Commons at the fag-end of the Session with only a few Members present and the Under Secretary of State absent.

Mr. Mac Neill

Any reform of this Council should in my opinion be based on the elective principle. If there were only 15 members elected even by the English speaking people of India, would the Under Secretary stay away now? Of course he would not. His 15 members are simply Gentlemen who will envelope him in a cloud of irresponsibility. My hon. Friend the Member for Kirkcaldy (Sir G. Campbell) has said he is glad Indian affairs are not administered on a Party principle. Theoretically he is right, but I am sorry in some respects, for I think that if this were a mere Party question we should have numbers of men present on both sides of the House. It being a question which affects the happiness of millions, we have not a responsible Minister of the Crown present even to read what his Indian instructors tell him. Fox, in 1797, went out of power, and lost wealth and many friends on account of an Indian principle. I was recently reading some of Fox's private correspondence at the time the Debate was coming on that was to crush him, and he said—

"I do not care for myself. I do not care for my future career. I have felt it incumbent on me, and my imperative duty when so many millions are, I know, dependent on my exertions, to do my best for them."

Where, I ask, is that feeling now? Are we to abandon these people? Certainly, as far as I have power in this House I will not do it. I will now move the Adjournment of the Debate.

MR. SEXTON (Belfast, W.): I think the Motion is quite justified. I listened attentively to the speech of my hon. Friend. It showed not only deep feeling for the people in India, but a close acquaintance with the facts bearing on their condition, and I think it is not considerate to the House, and not fair to the people of India themselves, that the Minister who ought to attend to this business should not pay my hon. Friend the ordinary respect of being present during the Debate. By way of emphasizing the complaint of my hon. Friend, I beg to second his Motion.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Mac Neill.*)

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The Government are not able to assent to this Motion for Adjournment, and I am surprised that, of all people in the world, the hon. Member for Donegal should have made it. He has made a speech to which he expects the Government to reply, and, in order to give them the opportunity of replying, he moves the Adjournment of the House, and so prevents them replying. I am quite sure that on second thoughts he will see that it is much better to afford us an opportunity of replying to his arguments. I am sorry that my hon. Friend the Under Secretary of State for India (Sir John Gorst) is not present. His absence is unavoidable, but I think he is one of many who were not aware that this Bill was likely to come on at this time. It is quite true that my hon. Friend represents the Government of India, but it is also true that the Government of India is represented by Her Majesty's Government as a whole. I do not allow for a single moment that India is represented solely by my hon. Friend. Every Member of the Cabinet is as responsible, and much more responsible, than my hon. Friend the Under Secretary.

MR. SEXTON: As the right hon. Gentleman undertakes to reply himself, and explains the absence of the Under Secretary, I hope my hon. Friend will withdraw the Motion for the Adjournment.

MR. MAC NEILL: I beg to withdraw the Motion.

*SIR R. N. FOWLER: I would remind the House that my right hon. Friend the Secretary for War was, during three years, Under Secretary of State for India, and during the five subsequent years represented the Conservative Party on Indian questions on the Front Opposition Bench, so I think the House will feel that it will not suffer by the Government of India being represented on the present occasion by my right hon. Friend.

Motion, by leave, withdrawn.

Original Question again proposed.

*SIR R. LETHBRIDGE (Kensington, N.): I must say I share very strongly the regrets that have been expressed that the Government have felt it to be their duty to press on this unfortunate Bill at the fag-end of the Session, and at a period when so many hon. Members who take an interest in the question are absent from the House. The hon. Member for Donegal (Mr. Mac Neill) laid much stress on the fact of the absence of my hon. Friend the Under Secretary of State for India. I do not attach much importance to that fact, though I am quite sure my hon. Friend will regret very much that he was not present when he knows that this Bill has come on. In support of what was said by the hon. Member for the City of London (Sir R. Fowler), let me say that there is, perhaps, no Member of the House unconnected officially with India, whose words are more thoroughly accepted upon Indian questions, than the right hon. Gentleman the Secretary of State for War (Mr. Stanhope). I regret the course Her Majesty's Government have felt it their duty to take, all the more because I am convinced that my noble Friend the Secretary of State for India and my hon. Friend the Under Secretary of State are, in pressing on this Bill, animated by admirable motives in themselves. I have no doubt that the motive that they have put before the House prominently—namely, that of saving £6,000 a year to the taxpayers of India, is the real and sincere motive which influences them, but behind them are those who have motives other than that very excellent one. I say that is an excellent motive; and any proposal that tends to cut down the home charges of the Government of India deserves the full and most careful attention of the House. The reduction of the home charges of the Government of India is in my opinion what ought to be the key-note of every Indian financial reformer; but surely it will be admitted by the Government that some sort of inquiry as to the best form of reduction of expenditure ought to be instituted before rushing through a Bill of this character almost without explanation, merely on the ground that it does save £6,000 a year. After all, what is £6,000 when we consider the enormous charges that are placed on the taxpayers of India for the sustenance of the India Office year after year?

It is a mere bagatelle; and, therefore, I think the House before it assents to the proposition to make this infinitesimal reduction in the expenditure in the India Office, might fairly demand to be informed whether there are not other means of saving which would save a great deal more, and do no greater harm to the efficiency of the administration of India. I maintain that this reduction of expenditure begins at the wrong end. It is almost generally admitted that the power of the Secretary of State is rather too large than too small. It is universally admitted that his knowledge of the special wants of India must rather be too little than it can ever be too great, and that the only check or control over the despotic power of the Secretary of State in exercising the supreme ultimate power over the affairs of India is the advice of this consultative Body, the Council of India. I do not wish to attribute ignorance of Indian affairs to the noble Lord who now rules at the India Office, because I am aware he has given his best attention to, and endeavoured to inform himself of, every concern of the great dependency of India; but it is almost in the nature of things necessary that the supreme ruler of all the India Office, the Secretary of State, should be, to a large extent, ignorant of the special circumstances of the various provinces of India. I maintain that to diminish the number and the authority of those who constitute a check on the despotic power of the Secretary of State is clearly to maim and to injure that check; it is clearly to quench the sources of light to which the Secretary of State can alone look to obtain a correct appreciation of the various facts that are put before him. This Bill might fairly be called a Bill to render the Secretary of State absolutely despotic, and absolutely independent of Indian public opinion. Probably it will be said that ten is a number sufficient to attain the objects for which the Secretary of State's Council is constituted. Before we can assent to the proposition that the number of 10 is sufficient, and that the number of 15 is therefore redundant, it is only fair the House should obtain from Her Majesty's Government some information as to the present constitution of the Secretary of State's Council, and as to how far it is representative of the various countries that form that great Empire, and of the very numerous and divergent interests that have to be considered in India. In the first place, I would ask Her Majesty's Government to inform the House whether there has been any attempt made to obtain upon the Council of the Secretary of State any representation, whether adequate or inadequate, of the opinion of the natives of India. I would ask, are there any representatives of the Princes and the Chiefs of India, those whose hereditary rank or present position there entitles them to consideration in these matters? It will not do for the Government to tell us they could not induce these Princes and Chiefs to come over here. Why, in the Distinguished Strangers' Gallery of this House we sometimes see these Chiefs. We meet them at various social functions in the City of London. We know, as a fact, that they do come and reside for long periods of time in this country, and I do think that if the Government were to make the attempt there would be very little difficulty in obtaining some adequate representation of the Princes and Chiefs of India in the India Office at Westminster. I ask, has there been any attempt made to obtain a representation of the opinion of the English educated natives of India—that class which is sometimes called, I hope not opprobriously, the Baboos of India? I am convinced there is not a single official connected with the Government of India who would not gladly welcome some opportunity of consulting that opinion and of knowing what are the wishes of that increasing and important class in India. The junior Member for Northampton (Mr. Bradlaugh) attempts to speak on behalf of the English educated natives. He speaks with great ability, great intelligence, and great industry; but, of course, he does not speak with that authority that would attach to the utterances of an Indian gentleman speaking in the Council Chamber at the India Office. Then, again, my hon. Friend the Member for Hackney (Sir Guyer Hunter) has already laid before the House the claims to be represented in the Council of India of that great Medical Service which, from the earliest period in the history of our connection with India,

has taken a most important and honourable share, not only in their own scientific and technical work, but in the general administration of the Empire. There are also many other great scientific and technical Departments, to which allusion is often made in the House of Commons, and which are sometimes known as the Uncovenanted Departments. The members of these Departments are more numerous than those of the regular Civil Service, and yet, never in the history of India, has a single representative of these bodies ever found a place in the Secretary of State's Council. Now, let us consider for a moment whether, apart from the question of representation, it is expedient that the members of the Council should be diminished. Surely, first of all, we should inquire whether it is not possible that some methods might be devised for improving and strengthening that Council. The hon. Member for Kirkcaldy (Sir G. Campbell) told us very rightly that the best thing that could happen for the interests of India would be that the Council should be not only thoroughly representative, but also should have more power to insist upon its opinion being listened to by the Secretary of State. I do not for a moment suggest that the expert advisers of the Secretary of State should be permitted to have power by law to override the settled opinion of the Secretary of State, still less the settled policy of Her Majesty's Government. This House recognises that in all Indian questions, as in all other questions, the policy of Her Majesty's Government must be paramount, and that, therefore, no experts, whether at the India Office or anywhere else, can be allowed to override the opinion of the Secretary of State and the settled policy of the Government. But I do think there might be some method devised by which the experts at the India Office should be strengthened rather than weakened, as they will be by this Bill. I would suggest they might have the power of demanding the publication of the Minutes of Dissent, which we know are recorded at the India Office. What happens at present? The Minutes of Dissent are put in the pigeon holes and never heard of again. [Mr. STANHOPE: They can be moved for.] It is suggested they can be moved for in this House. Yes, but if they are moved for how often will the Government produce them? I have known occasions when they have been moved for, I think, by my right hon. Friend himself, and when they have been refused. If the experts had power by law to require the publication of the arguments by which they had endeavoured to influence the the opinion of the Secretary of State, it would be a very different reform to that which is proposed by my hon. Friend the Under Secretary of State—namely, to do away with a large section of the Council altogether. I admit that, in all probability, the abolition of a large number of the technical expert advisers of the Secretary of State will render the life of the Secretary of State and the Under Secretary of State, and especially the life of the Permanent Under Secretary, and of permanent officials, a somewhat easier one. Possibly there will be less friction; but I maintain that friction is a wholesome element in our Administration, and ought not to be absent from the India Office any more than it is absent from any part of our Administration. Why, the policy of the Government in every other Department of the State can be discussed here in Committee of Supply, can be discussed at full length, conversationally and otherwise; but there is absolutely no opportunity for a free and general discussion of the grievances of the 200 millions of our Indian fellow-subjects. Therefore it is all the more necessary that this Council to whom falls the power and the duty of offering to the Secretary of State the advice which might otherwise be offered in this House, should be strengthened rather than weakened. If that Council be done away with, it is quite possible there will be no impediment, or, at any rate, very little impediment, to any attempt to carry out all the elaborate theories that have been worked out in the arm-chairs of philosophers in England. But that is not what we want in the administration of the Indian Empire. There is no one who feels this more than the Secretary of State for War. Therefore, I appeal to the right hon. Gentleman and to the Government to listen to the protests that have been made this evening unanimously from

every part of the House against this Bill, the effect of which will be to increase the despotic power of the Secretary of State, and to perpetuate his unavoidable ignorance. I appeal to the right hon. Gentleman to accept the Amendment of the hon. Member for Kirkcaldy, and then, on the strength of the inquiry, to come down to the House and present us with a full and elaborate measure of reform which will confer lasting benefit on the Empire of India.

MR. E. STANHOPE: In addition to expressing the regret I naturally feel at the absence of the Under Secretary of State for India (Sir J. Gorst), who is much more recently conversant with the subject than I can attempt to be, I have also to express my regret that I have not heard the whole of the Debate. I missed one or two of the earlier speeches, but much of what I have heard scarcely comes within the scope of the Bill. The hon. Members for Kirkcaldy and Northampton have proposed that there should be a general inquiry into the administration of India, and have urged that inquiry should precede legislation. I quite agree that the time may come, and come soon, when it will be desirable that there should be such an inquiry. There have, periodically, been such inquiries. But this opens out a larger field than is necessary at the present moment. The hon. Members who have spoken have advocated abolition of the Council as it is at present constituted rather than an inquiry into its working. Perhaps it is worth while, therefore, in a few words to explain the grounds upon which the present Council was established, and the grounds upon which I think it may fairly command public confidence. The Council of the Secretary of State does not attempt to govern India, and it was not constituted for that purpose; the Council of the Secretary of State is mainly a Court of Review, and as such it was constituted. When an hon. Member speaks of the Council as an ingenious device for screening the action of the Government of India from the observation of Parliament and this country, all I can say is, that it was deliberately adopted as a means by which the policy of the Government of India should be reviewed and made known to the House of Commons. The three main objects attempted to be achieved in the constitution of the Council are—first, that it should consist of independent members, men who have served their time in India and are selected for the Councils when, for a considerable period of years, they are in a position of absolute independence——

MR. MAC NEILL: There is a special provision for their re-appointment.

MR. E. STANHOPE: I am quite aware of the provisions of the arrangement to which the hon. Member refers, but I do not think for a moment that any of the eminent gentlemen who have been placed on the Council, and who, I am quite sure, have retained the confidence of the governing classes in India and in this country, I am quite sure that they are incapable of being influenced in their proceedings and their advice by the consideration of whether or not their services will be continued at the end of a term of years. I repeat, they are a body perfectly independent of the Government of the day, and I am bound to say they continually show their independence, differing, as they often do, in the strongest manner from the policy of the Government of the day, and doing their very best to turn that policy in the direction they think best for the good of India. In the second place, the Council is chosen from men of Indian experience, men who have had experience in all parts of India, so that at any given time there are members of the Council who have had experience of any part of India concerned in any particular matter. Lastly, the Council is composed of men with fresh Indian experience. I am sure hon. Members will agree that it is desirable that the Secretary of State should have the advantage of council from men whose experience of India is fresh rather than from men who have spent a great number of years in this country after leaving India. They are men, too, who are entirely independent of our Party politics. That is of foremost consequence to the Government of India, and anything tending to a diminution of that independence of Party politics would inflict a grave harm upon the Government of India. Now, several hon. Members have spoken of the desirability of placing the Minutes of dissent before the House of Commons; but that, I believe, would be one

of the most mischievous proceedings that could possibly be taken. There are occasions when, no doubt, it is highly desirable that these Minutes should be produced. There was a famous occasion of which I had full knowledge at the time of the Afghan War, strong feelings were raised among men of Indian experience and there were great differences of opinion on the Council of the Secretary of State, and in such cases I believe it is greatly to the advantage of the country that men of Indian experience should have the opportunity of placing their opinions before Parliament. But if that is going to occur over and over again and, perhaps, every year, the result will be we shall have Members of the Council playing to the Gallery of the House of Commons and not thinking solely and entirely of the interests of India as they do at present. Members of the Council being but human, and possibly Party men, would naturally have in view the presentation of their opinions to Parliament; and it is utterly impossible to conceive that the conduct of the business of India in the Council of the Secretary of State would be so satisfactory as it undoubtedly is at the present time. One suggestion for a change in the Council is that it should become a purely representative body. That is a matter which, as the House is aware, was a good deal considered at the time when the Council was originally constituted. Among other proposals was one that the commercial interests of this country should be represented on the Council. Well, I think, and in this I am expressing my own individual opinion, that there is no danger, constituted as the House of Commons is, of the commercial interests of this country not being fully considered in matters relating to the Government of India. The commercial opinions of the country can be heard in the House of Commons, and they are heard, and they undoubtedly exercise, in regard to Indian commercial matters, an influence which many people connected with India think excessive, and certainly I do not see any reason for increasing it. Then as to the proposal for native representation on the Council of the Secretary of State, that is a suggestion I am sure no hon. Member could make who has thought out the objections and the consequences. It is a suggestion that no Government could think of adopting unless they saw their way to establishing it on a principle very different to that indicated to-day. The question before us now is whether the Council of the Secretary for India is too large or not. There is no doubt that the reduction of the Council in the manner proposed would conduce to economy, and in matters of India administration economy is of the first importance, but the Bill is not primarily based on considerations of economy. The question is whether or not a Council of 15 is the best that can be imagined for the business to be transacted. This is a matter which, as the hon. Member for Kirkcaldy knows, has often been considered both in the House and outside. There have been proposals for 7 members, for 10 members, and again for 18; but every hon. Member who has been connected with the India Office has had to consider the subject. It fell to my lot when I was at the India Office to give close attention to the subject, and I confess the conclusion that I arrived at, and the conclusion that I am sure has been arrived at by almost all who have since been connected with the Government of India, is that the Council is too large. It is composed of members entirely devoted to the service of India who give the greatest possible assistance to the Secretary of State, but what I believe would be achieved by reducing the number of members would be an increase in the sense of responsibility upon each individual Member. The weak point about the constitution of the Council is that with so large a number of Members the sense of responsibility upon each is not sufficiently great. Therefore the ground upon which I would commend the Bill to the attention of the House is, that I believe a moderate reduction of the Members on the Council will tend to increase the sense of responsibility, and will render the assistance which the Council gives to the Secretary of State for the time being more efficient and more satisfactory than it has been in the past.

*SIR W. PLOWDEN (Wolverhampton, W.): We have a new and most curious argument in support of the Bill

from the right hon. Gentleman. We were told a few nights ago by the Under Secretary for India that this Bill was advanced in the interest of economy; but we are now told by the more responsible Minister of the Crown that this is not so much a matter of economy as to secure greater responsibility by reducing the number of members on the Council. Of course, the logical conclusion to the right hon. Gentleman's argument would be the Government proposal to reduce this Body, which cannot be relied upon, to feel a due sense of its responsibility, to proper limits. But that is not what is done by the Bill. It is far from what is attempted to be done. The Bill does not reduce absolutely, but only gives a permissive power to the Secretary of State to reduce; and yet we are told by the Secretary for War, in the most guileless manner—in a manner, I confess, we should not have listened to from the hon. Gentleman who represents the Government of India in this House—that the sense of responsibility is to be largely developed by reducing the number from 15 to 10. But the Bill does not reduce the number on the Council to 10.

MR. E. STANHOPE: A discretion is left to the Secretary of State to retain the assistance of any member whose services may be so valuable that it is desirable he should not be excluded from the Council.

*SIR W. PLOWDEN: Very good; I accept that statement, but an absolute reduction of 15 to 12 would still give room for the addition of gentlemen whose services might be considered indispensable. If the right hon. Gentleman's argument for responsibility is good, the reduction to 12, at all events, should be absolute and not permissive. I regret extremely that while we are permitted two or three hours for the discussion of a petty Bill like this, we cannot have a single discussion throughout the Session on the great questions that arise on Indian administration generally. Two points have cropped up in this discussion, and one has been dealt with in an extraordinary manner by the right hon. Gentleman. I was grieved to hear him commit himself to the expression of an opinion that it was not possible in any regulated manner to accept the principle of representation on the Council—a principle that has been strongly advocated, not only on this side, but by Gentlemen sitting opposite. The right hon. Gentleman has told us that any such suggestion comes from those who have not thought out in full how the representative principle could be recognised in any way. Now that is a matter that has been thought out.

MR. E. STANHOPE: The representation of natives of India on the Indian Council was what I referred to.

*SIR W. PLOWDEN: How the representation of the Indian people could be applied to the Indian Council the right hon. Gentleman cannot see, but it is really a simple matter to deal with. Though it has not been prominently brought before the British public it is notorious to those conversant with Indian administration that the representative principle is thoroughly adopted and is at the bottom of the whole system of village administration in Northern India; so you have that as a good starting point. From that system which is admitted and has gone on from century to century in the north of India you might adopt a method that would give a real native representation on the Indian Council. There is no difficulty that the Local Government of India could not deal with in this matter. Upon this special matter—the reduction of the Council—I will only say that a Bill of this nature is most undesirable—we want a much more thorough reform. If it is desirable to reduce the number of members on the Secretary of State's Council it should not be done in a permissive manner, it should be done at once, not leaving open the possibility very much on the cards at present of there being no reduction at all. Economy is a very small matter and does not come within the consideration of the Government; the main and important matter is that the Council should be constituted in the best manner to secure the end you have in view. The right hon. Gentleman speaks of the freshness of experience on the Council, and there I confess the freshness of the right hon. Gentleman's view rather startled me. I take the last case but one of the appointment of a Gentleman to the Indian Council. Sir John Strachey is a distinguished man in

Indian affairs, and has held the highest office in India having been for a short time Viceroy, but he was not appointed to the Council immediately on his return home; he was left out in the cold for a considerable time, and not until after he had resided in England for some years was he appointed, and, meantime, men very much his juniors were oppointed. I take this as an illustration to show that the formation of the Council is not precisely carried out in the way indicated by the right hon. Gentleman. I will go a little further in examination of the principle upon which the Indian Council is constituted. It is composed almost entirely I might say entirely of officers who have held high positions in the Indian Government, but who from the very nature of their position, were cut adrift from Indian opinion for years before they left India. The men who really know what is going on in India occupy a much more subordinate position. Those who administer districts or command regiments are brought into touch with native opinion, and can tell you what are the native views; but the men you select for the Council are those who have been Lieutentant-Governors, or who have filled high offices which altogether shut them out of touch with native opinion for years before they leave India. It would be much more desirable to appoint men fresh from active administration, and who would afterwards go back to India. The hon. Baronet opposite (Sir Richard Temple) is ready to repudiate all I have said, and I admit he is a high authority on Indian subjects, but he cannot deny that, occupying the high position he did, he was not able to consort with or listen to the voice of public opinion among the natives of India, and, therefore, to that extent he would be a less satisfactory representative than those much younger in the Indian service than himself. I shall oppose the Bill with the greatest satisfaction.

*SIR RICHARD TEMPLE (Worcester, Evesham): The hon. Member for Wolverhampton, who has just sat down, must not suppose that I am at this late hour going to answer him in detail, or to discuss with him what may or may not be the value of such knowledge as I have acquired in India in the positions I have held there from the bottom to the top. The only thing I shall allude to is the disparagement which he seems to cast on the speech of my right hon. Friend the Secretary for War. I venture to assure my Parliamentary comrades that the speech of the right hon. Gentleman was distinguished by very sound knowledge of Indian affairs, and that he has preserved his recollection quite accurately, although he has recently been occupied in a different sphere of public duty. This Debate upon a small point regarding the Indian Council seems to have been made a peg on which to hang a discursive dissertation on everything in general regarding India; but may I endeavour to recall the attention of the House for a moment to the real question before us? The question is not whether India is well or ill governed, whether the natives are happy or the reverse, or whether the representative system is good as compared with the present system, but simply whether 15 members or 10 members should be the number of the Secretary of State's Council in London. That is the plain and simple issue the House is called upon to decide. It so happens that legislative sanction is necessary to enable the number to be altered from 15 to 10. It may appear strange that the attention of this sovereign assembly of British Members should be for a moment turned to so small a subject, but it happens to require legislation, and therefore the opinion of the House must be taken. The question is whether 10 or 15 is the best number for the Council. The hon. Member who has just sat down is quite under a mistake in supposing that the Secretary for War said that economy was not to be considered in the matter. What the right hon. Gentleman said, as I understood, was that not only economy but efficiency is to be considered, but certainly economy is not to be disregarded. Why the very Gentlemen who now disparage this economy are those who for years have been urging the attention of the House to the growing home charges of the Government of India, and now the first time an attempt is made to save a few thousands without any sacrifice of efficiency we find them objecting. Now

do ten Members constitute sufficient strength for the Council? I will ask the House for a moment to consider what representation the number of ten would give. You might have two distinguished officers as representing the Army, one the European, one the Native Army. You might have three distinguished Covenanted civilians, one for each of the three great provinces of India. You might have one eminent Jurist of the position of the late Sir Henry Maine, one officer of engineers as representing all the great railways and public works in India; you might have a gentleman drawn from the commercial classes of India; one representing the banking community; and you might have one drawn from the medical service considering the growing importance of all matters relating to medical and sanitary science, and I say this in deference to the distinguished authority on my right, the hon. Member for Central Hackney (Sir Guyer Hunter). That gives you the number of ten, and I would ask the House to consider whether that would not give a fair representation of the great elements of Indian Administration setting aside always the question of representative institutions. It is said this reduction would diminish the check upon the despotic power of the Secretary of State. But why? Can it be said that the number of 15 afford a better check than the number of 10? Surely it is not numbers that constitute a check; it is weight, power, and capacity upon the Council? I quite agree with my right hon. Friend, there is more likely to be a sense of responsibility in a smaller than in a larger number. Though I have not had the honour to sit on the Council of India, yet I have had a great deal to do with Councils in my life, and I must say I greatly prefer a small to a large Council. The House must remember also that besides the members of the Council of India, there are Secretaries in each Department, each one an officer of the widest Indian experience, and of the highest public character. And now as to the publication of the Dissenting Minutes of members of the Council. Whenever these relate to any matter of great public importance, and it is of public advantage that they should be published, they can be moved for and given. It will be in the recollection of the House that last year, in relation to an important matter, to which the attention of the House was called, I had the honour to move for some of these dissents, and at once they were granted by the Secretary of State, and laid on the Table of this House. So much for the measure before the House, which, I submit, is well-framed, and deserving of our support. But there are just one or two other things that have been mentioned to-night by the hon. Member for Donegal (Mr. MacNeill) which ought not to pass without challenge from this side. In the first place the hon. Member made remarks reflecting unduly on the zeal and public spirit of the members of the Council in England. No more deserving body of public servants exists. They do not sink into an inert state, as the hon. Member supposes. They are thoroughly representative men of the highest character, of the widest experience, and the most distinguished record, and they continue to apply themselves in the evening of life to their duties and the Public Service with all that assiduity and diligence that they have always evinced in their prime. The hon. Member also said something as to the sufferings of the people of India. Well, I do not deny that there is misery in India, but it is nothing like the misery you have in London or in any centre in Europe or across the Atlantic. From my personal knowledge of India I can affirm that there is no country in the world, civilised or uncivilised, where there is so little misery—apart altogether from the cases of famine—as India. And those cases have served to bring into action some of the most humane and beneficent exertions in the annals of mankind. The hon. Member may shake his head as he likes, but that is the imperishable record which the British Empire in India has achieved. Then some mild sort of aspersion has been thrown upon the House of Commons with regard to its conduct of Indian affairs. I am bound to say that the new democracy under the recently extended franchise has returned more Members to the House of Commons who are acquainted with Indian matters than there have ever been in

any previous Parliament. In my opinion the House exercised a wise discretion in relegating its powers to the authorities whom it has by its own legislation constituted in India. It is quite right that there should be a controlling power in England, but you can have only one Executive Government, and that must be in India. The hon. Gentleman opposite and his Friends would transfer the Government of India to this House—to their side of the House I suppose. They look forward to having the Government on their side.

MR. MAC NEILL: Yes; very soon.

*SIR R. TEMPLE: Well, it is the duty of this House to set up a good Government in India, and, having established it, to leave it alone. Supposing the Government were transferred to England I would ask whether this House is fitted to exercise the authority. Looking at the factions into which the House is divided, and the party spirit which governs our debates, we cannot say that it is. In this very debate hon. Members on the other side of the House have all spoken against the Bill, while we on this side are speaking in favour of it.

*MR. BRADLAUGH: I beg the hon. Member's pardon. I commenced by saying that I did not oppose the Bill.

*SIR R. TEMPLE: I beg the hon. Member's pardon. I did not hear his speech, and I am sure that with his usual impartiality the hon. Member would not speak against the Bill from a Party point of view. But I think my remark is applicable to the other speeches from the opposite Benches. Then the proposal has been made by the hon. Member for Donegal and the hon. Member for Wolverhampton that an elective element should be added to the Council in London. That is a matter the hon. Member for Northampton has taken great interest in as regards the Council in India, and there is something to be said for it in India. But it is proposed to put Indian representatives on the Council of the Secretary of State for India in Whitehall, and I am astonished that my hon. Friend the Member for North Kensington should have advocated that the Indian Princes should be represented on this last-named Council. How are they to leave their States and their governments, and cross over the water to England?

*SIR R. LETHBRIDGE: When I spoke of Princes and Chiefs of India, I, of course, did not mean—and the hon. Member will know I could not mean—the Princes of the independent or feudatory States of India, but those great noblemen of India who are customarily known there as Princes or Chiefs.

*SIR R. TEMPLE: The same thing applies to the great noblemen. How are they to leave their estates and their great interests in India in order to come and legislate here? But all I desire to do is to express my dissent from any such arrangement. If you had a representative Council of that kind established in London it would gradually claim to absorb a great deal of Executive power, and then you will have the people of India subject to a dual Government—one sitting at Calcutta, the other in Whitehall. That would greatly endanger the stability of our Empire in the East. With these few general remarks I beg to record my hearty support of the Bill.

Question put, and agreed to.

Bill read a second time, and committed for Monday next.

WINDWARD ISLANDS APPEAL COURT BILL [LORDS]. (No. 353.)

Considered in Committee, and reported, without Amendment; Bill read the third time, and passed.

BRIBERY (PUBLIC BODIES] PREVENTION [EXPENSES].

Considered in Committee.

(In the Committee.)

Resolved. "That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of the expenses of the prosecution, in Scotland or Ireland, of any offence under any Act of the present Session for the preven-

tion and punishment of bribery and corruption by members of public bodies."

Resolution to be reported upon Monday next.

COTTON CLOTH FACTORIES [EXPENSES.]

Considered in Committee.

(In the Committee.)

Resolved, "That it is expedient to authorise the payment, in certain cases, out of moneys to be provided by Parliament, of the Expenses of Arbitration under any Act of the present Session to make further provision for the regulation of Cotton Cloth Factories."

Resolution to be reported upon Monday next.

MOVABLE DWELLINGS BILL (No. 316.)

Considered in Committee.

(In the Committee.)

MR. STEPHENS (Middlesex, Hornsey): As the hon. and learned Member for Stockton (Sir H. Davey), and other Members, intended to oppose this Bill, and waited in the House a considerable time with that object, I think I must appeal to the sense of fairness of the House by moving, Sir, that you report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Stephens.*)

MR. BURT (Morpeth): It is a considerable time since the Second Reading was carried, and the hon. Member has had ample opportunity to put down any Amendments. I must say I consider him rather unreasonable in making a Motion of this kind.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I would appeal to my hon. Friend to withdraw his Motion. This is a Bill which, perhaps under a different form, has been before the House for a very long time, and although the hon. Gentleman may have some objections to the measure on matters of detail, I cannot think he can wish that the law should remain as at present in such a state that persons living in vans should go about from one end of the country to the other without supervision either as to sanitary matters or education. This Bill, without inflicting any hardship on any class of the community, will provide for the sanitary regulation and education of these people. I hope the hon. Gentleman will not persist in his Motion.

Motion, by leave, withdrawn.

Question proposed, "That Clause 1 stand part of the Bill."

MR. STEPHENS: I am strongly opposed to this Bill and as I think this clause in particular is entirely unworkable and most cruelly oppressive, I propose to vote against it. The authority under the clause is the County Council, and, as the House is aware, the County Councils are new bodies, and they already have duties more onerous and extensive than they are able to discharge. This is sufficiently proved by the fact that only a short time ago a Bill introduced into this House to transfer a great number of duties of various kinds to the County Councils was deprecated by the County Councils, or at any rate by some of them, and I was deputed, on the part of the County Council of Middlesex, to ask that the time for placing those duties on the County Council should be deferred. When you come to look into this Bill the extraordinary unworkable character of it is at once apparent. The County Councils in most counties meet at rare intervals. The County Council of Wiltshire, for instance, meets only about four times a year. This means that the administration of this Act will be practically transferred to an official, and that official cannot be under any effective control. There is no need to point out the very great risk of corruption which might ensue. How is the registration to be carried out? Is the van to be taken to the inspection, or is the inspector to go to the van? I presume that the van will have to travel to the office of the inspector. In many counties there will be a journey of some 40 or 50 miles to the office of the County Council, and if you take a van which is always horsed in such a manner as to travel only a few miles a

day an immense journey like that, the obligation of undergoing inspection will be of an intolerably oppressive character. The section includes tents, and I am told that, under its provisions, it would really not be safe in this warm weather for a man to sleep in his own garden under a large umbrella because of the way in which this clause is drawn. It is certain that those who camp out up the river will have to get their tents registered, and will have to take it to the District Authority for the purpose of registration. The whole thing is most vexatious and full of interference without any good purpose. It puts everybody under a kind of ticket-of-leave. For what advantage, I ask, are so much irritation and annoyance to be created together with such a desire to evade the law?

MR. CHANNING rose in his place and claimed to move, "That the Question be now put," but the Chairman withheld his assent, and declined then to put that Question.

Debate resumed.

MR. STEPHENS: As far as the main purpose of the Bill is concerned, of course it is to regulate the poor people who go about the country in these travelling vans, carrying goods from village to village, and often visiting places which are inaccessible by any other means of supply. It would be impossible for the van people to maintain themselves under the provisions of this Bill, and, I think, that if it is the intention that these persons should be in their present mode of life completely suppressed, that object should be carried out more frankly than is the case under this Bill. In many of these villages there is but one shop, and that rules the whole situation.

THE CHAIRMAN: The hon. Member is not speaking to this clause, but to the Bill as a whole.

*MR. TOMLINSON (Preston): As the clause is now worded the owners of moveable dwellings have to apply to the County Council. I wish to ask my right hon. Friend how applications are to be made to the County Council when it is not sitting?

MR. RITCHIE: Really my hon. Friend must not hold me responsible for all the details of this Bill. I imagine that the County Council for the purposes of the Act will appoint proper officers who will perform the duties under their supervision.

MR. T. C. BARING (London): In the place in which I live, on the borders of Middlesex and Hertford, there are a great many of these vans which habitually travel to the villages.

It being Midnight, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again upon Monday next.

CORPORAL PUNISHMENT BILL.
(No. 12.)

Order for Committee read, and discharged.

Bill withdrawn.

RAILWAY STATIONS (NAMES) BILL.
(No. 296.)

Order for Second Reading read, and discharged.

Bill withdrawn.

MOTION.

—o—

WOMEN'S DISABILITIES REMOVAL BILL.

On Motion of Mr. Haldane, Bill to amend the law relating to the political and other Disabilities of Women, ordered to be brought in by Mr. Haldane, Sir Edward Grey, and Mr. Thomas Ellis.

Bill presented, and read first time. [Bill 363.]

TRUSTEE SAVINGS BANKS.

Report from the Select Committee, with Minutes of Evidence and Proceedings, brought up, and read.

Minutes of Proceedings to be printed. [No. 301.]

Report to lie upon the Table, and to be printed. [No. 301.]

MESSAGE FROM THE LORDS.

That they have agreed to the Audit (Army and Navy Accounts) Bill; County Court Appeals (Ireland) Bill, with

Amendments; that they have passed a Bill, intituled—

"An Act for consolidating enactments relating to the construction of Acts of Parliament, and for further shortening the Language used in Acts of Parliament." [Interpretation Bill [Lords.]

PRIVATE BILLS (ALTERATION OF MEMORANDUM OF ASSOCIATION.)

That they propose that the Joint Committee appointed to consider and Report under what circumstances, or upon what conditions, if any, Private Bills altering the terms of the Memorandum of Association of Companies ought to be allowed to pass, do meet in the Chairman of Committees' Committee Room on Tuesday next, at Twelve of the clock.

Lords Message considered.

Ordered, That the Select Committee, appointed to join with the Committee appointed by the Lords "to consider and report under what circumstances, or upon what conditions, if any, Private Bills altering the terms of the Memorandum of Association of Companies ought to be allowed to pass," do meet the Lords' Committee in the Chairman of Committees' Committee Room on Tuesday next, at Twelve of the clock.

Ordered, That a Message be sent to the Lords to acquaint their Lordships that this House hath directed the Select Committee, appointed by them to join with a Committee of the Lords, "to consider and report under what circumstances, or under what conditions, if any, Private Bills altering the terms of the Memorandum of Association of Companies ought to be allowed to pass," to meet the Committee appointed by their Lordships in the Chairman of Committees' Committee Room on Tuesday next, as desired by their Lordships.

Ordered, That the Select Committee appointed to join with the Committee of the Lords have power to agree in the appointment of a Chairman of such Joint Committee.

INTERPRETATION BILL [LORDS.]

Read the first time; to be read a second time upon Thursday next, and to be printed. [Bill 364.]

PLEURO PNEUMONIA.

Address for—

"Return showing the number of outbreaks of Pleuro Pneumonia in the district of each Local Authority in Great Britain in each of the last three years, the number of Diseased and of Healthy Animals slaughtered, and the sums paid as compensation, after deducting any receipts for salvage, in the following form:—

Local Authority		Number of Outbreaks reported.	Number of cattle slaughtered.		Net compensation paid—		Total net compensation.
			Diseased.	Healthy, but in contact.	For diseased animals.	For healthy animals.	
County	1886						
	1887						
	1888						
Borough	1886						
	1887						
	1888						
Total for Geographical County, including Borough.	1886						
	1887						
	1888						

Similar Return for Ireland.

And, Summary showing the total for Counties and Boroughs respectively for England, for Scotland, for Great Britain, for Ireland, and for the United Kingdom."—(*Sir E. Birkbeck.*)

House adjourned at ten minutes after Twelve o'clock, till Monday next.

HANSARD'S PARLIAMENTARY DEBATES.

No. 3.] SEVENTH VOLUME OF SESSION 1889. [AUGUST 13.

HOUSE OF LORDS,

Monday, 5th August, 1889.

WINDWARD ISLANDS APPEAL COURT BILL. (No. 156.)

Returned from the Commons, agreed to.

MARRIAGES (BASUTOLAND, &c.) BILL. (No. 155.)

Returned from the Commons, agreed to, with an Amendment.

FACTORS BILL. (No. 122.)

Returned from the Commons agreed to, with Amendments.

SWEATING SYSTEM.

Fourth Report from the Select Committee (with the proceedings of the Committee), made, and to be printed. Minutes of Evidence, together with an Appendix, laid upon the Table, and to be delivered out. (No. 207.)

PAYMASTER GENERAL BILL. (No. 208.) REVENUE BILL. (No. 209.)

Brought from the Commons; read 1ª; to be printed; and to be read 2ª on Thursday next.—(*The Marquess of Salisbury.*)

LAND CHARGES (IRELAND) BILL. (No. 118.)

Order for the Second Reading on Thursday next discharged, and Bill (by leave of the House) withdrawn.

PRIVATE BILLS (ALTERATION OF MEMORANDUM OF ASSOCIATION.)

Message from the Commons to acquaint this House that they have directed the Select Committee appointed by them to join with a Committee of this House to—

"Consider and report under what circumstances or under what conditions, if any, Private Bills altering the terms of the memorandum of association of companies ought to be allowed to pass,"

to meet the Committee appointed by their Lordships in the Chairman of Committees' Committee Room, To-morrow at Twelve o'clock.

Ordered, That the Committee appointed by this House do meet the Committee appointed by the Commons in the Chairman of Committees' Committee Room To-morrow at Twelve o'clock.

Ordered, That the Select Committee have power to agree with the Committee of the Commons in the appointment of a Chairman.

COMPANIES CLAUSES CONSOLIDATION ACT, 1888, AMENDMENT BILL. (No. 187.)

Read 2ª (according to order), and committed to a Committee of the Whole House to-morrow.

EGYPT—MILITARY OPERATIONS AGAINST THE DERVISHES.

OBSERVATIONS.

THE EARL OF CARNARVON, in whose name there stood upon the Paper a notice "to call attention to the hostilities on the Nile, and the general condition of affairs in Egypt," said: I have only within the last hour or two received a letter from my noble Friend

the Prime Minister, stating that it is impossible for him to be present in the House this afternoon, and under these circumstances I think your Lordships will consider that I am exercising a sound discretion in postponing the notice standing in my name. But I cannot do this without one word as to the news that has reached us this morning. We have heard once more of a signal and complete victory; once again English valour and skill have triumphed; and although, as far as we can judge from the reports, the brunt of the contest has fallen upon the Egyptian troops, those troops have been led and officered by Englishmen. It is impossible not to feel for the fanatical and courageous sons of the desert, whose blood has been poured out so lavishly on this occasion. At the same time, every one must rejoice at the victory which has been achieved; and every one must hope that, for the present at all events, it is conclusive. Every one must hope this in the interests of humanity, as well as in the interests of the country, but I am bound to say that I cannot regard it as likely to be final. There is a much larger question even than that of these hostilities, which this victory, conclusive as it is, will not settle. It would be impossible, however, to enter upon this question in the absence of the Prime Minister, and I will therefore postpone my notice till Friday next. As this matter has been mentioned, perhaps I may be allowed to ask my noble Friend the Under Secretary of State for War whether he has any information to give us on this subject in addition to that which has appeared in the newspapers this morning?

THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): I was quite sure that my noble Friend would not desire to enter into questions relating to foreign policy in the absence of my noble Friend the Prime Minister. But as he has called the attention of your Lordships to the victory which has been obtained in Egypt, it is only right that I should express on the part of Her Majesty's Government their great satisfaction at the report we have received, which shows alike that the soldiers were worthy of being led by a gallant English officer, and that that officer showed a skill and strategy which were worthy of the occasion, and that in the conflict ensued there was so little loss of life, while, at the same time, there was unhappily very severe loss on the other side, which was necessary under the circumstances. I am sure that your Lordships will deeply regret that the few who are mentioned should have suffered, and especially one distinguished and gallant English officer. I believe that the wanton invasion of Egypt—for it was a wanton invasion—has been stopped, and that for a time, at all events, it will not be repeated. What will be the future policy of this country with regard to this whole subject I will not now venture to remark, but I feel that I am speaking the sense of your Lordships when I congratulate the distinguished officer who has won this battle and the soldiers who fought under him.

EARL GRANVILLE: I certainly will not depart from the judicious course which both the noble Lords have taken of avoiding any political discussion in the absence of the Prime Minister and Foreign Secretary; but perhaps I may be allowed to associate myself completely with what they have both stated with regard to our admiration of the manner in which this battle has been conducted. It is extremely satisfactory to note the admirable strategy with which General Grenfell conducted this operation, the manner in which he was supported by Colonel Kitchener and Colonel Woodhouse, and a special and additional circumstance of satisfaction is the good conduct of the Egyptian troops under his command.

THE UNDER SECRETARY OF STATE FOR WAR (Lord HARRIS): The only additional information which I can give your Lordships is as to the number of killed and wounded. Of 17 killed, one was a British soldier, and the 131 wounded include Brigade-Major Hunter, of the Lancashire Regiment, and Lieutenant Cotton, of the Shropshire Light Infantry (the latter severely wounded), and four British soldiers. A reconnaissance at daybreak on August 4th showed the Dervish force to be completely broken up, the few fighting-men remaining being pursued by cavalry. General Grenfell adds that only one Emir, and that an unimportant one, remains alive.

CRUELTY TO CHILDREN PREVENTION BILL, *now* PREVENTION OF CRUELTY TO AND PROTECTION OF CHILDREN BILL. (No. 160.)

House in Committee (on Re-commitment) (according to order).

Clause 1.

*LORD STANLEY OF ALDERLEY: My Lords, in reference to the Amendments which stand on the Paper in my name, I would like to explain that the Parliamentary Agent for several Scotch societies asked me to take charge of them, as there was no other means of bringing them before the House.

Amendment moved, in page 1, line 5, after the word "who," to insert the words "being the parent or."

LORD HERSCHELL: I do not think this Amendment is really necessary, because the words "person having the custody, control, or charge of the child" include the parent when the parent is such person. The wider words were only put in in case the parent should not be such person.

THE MARQUESS OF LOTHIAN: I do not understand that these Amendments refer especially to Scotland; they refer to the whole Bill.

Amendment, by leave of the House, withdrawn.

LORD HERSCHELL, in moving after the word "ill-treats," to insert the word "neglect," said: As by this Amendment I propose to restore a word which was struck out, on Division, by a very narrow majority in the Committee, I propose to state the reasons why I ask your Lordships to restore the word. I think it was omitted under some misapprehension as to its effect. It was supposed that it would cover cases of neglect which ought not to be covered by such a provision, but I think those who take that view omit to see the force of the word "wilfully," which precedes the word "neglect." A wilful neglect always must be an intentional act. It is essential to restore this word not only because without it the cases would not be met which we desire to meet, but really the clause, so far as it consists in the words "wilfully neglects," is but a re-enactment, because there exists at the present time a provision in the Poor Law Amendment Act which renders liable to penalties and imprisonment upon summary conviction any case of wilful neglect of children. The only reason for inserting it here is that all the provisions should be found together. It will be observed that by the latter part of the Bill, Section 38 of the Poor Law Amendment Act of 1868 is repealed, and the truth is, if this word be not inserted, the law will be made less efficient than it is at the present time.

VISCOUNT CRANBROOK: I felt when we were in Committee very much what has been expressed by my noble and learned Friend; and it struck me, as it strikes me now, that it was wrong to take this word out, because it is quite clear that if wilful neglect took place and death ensued, it would be manslaughter; and, therefore, if there be wilful neglect which brings about injury to the child, it is unreasonable that it should not be punished when, under the General Law, it certainly would be punished if death ensued.

THE EARL OF MILLTOWN: As the noble Lord the Lord President appears to be in favour of this Amendment, it would of course be useless for me to divide upon it; but I may say that the only argument which has been used by my noble and learned Friend was used in Committee, and the Committee decided by nine to seven that this word should be struck out. One of the main objections is that it would make the section too wide, and might be made to apply to offences of an extremely trivial character.

LORD HERSCHELL: I am afraid it was my fault; but the point to which I have just drawn attention—namely, that this provision practically exists in an Act at the present time, which for consolidation purposes it is proposed to repeal, was not present to my mind in Committee.

*THE LORD CHANCELLOR: I was not present when this matter was discussed in the Standing Committee. I was engaged in the service of your Lordships' House at the time; but undoubtedly I should have felt with the noble and learned Lord if I had been there. It seems to me it would be very wrong to omit such a provision as this, which is quite consistent with the objects of the Bill. It may be, as my noble Friend fairly says, that in the event of wilful neglect leading to death,

it would be manslaughter, and I think it would be, undoubtedly; but suppose death does not ensue, is the wilful neglect to go without punishment at all? It seems to me that it is an essential feature of this Bill, at all events with reference to wilful cruelty, that that should be made a specific misdemeanour.

On Question, that the word "neglect" be inserted, agreed to.

LORD NORTON: The next Amendment is one in my name, and it is to omit the Proviso at the end of the clause. The Proviso as it now stands would be very little short of a legislative demoralisation of public opinion The category of crimes and punishments dealt with in this Bill as it now stands is this—for ordinary cruelty to a child, a fine of £100; for persistent cruelty by a parent under the consciousness that he will make pecuniary gain out of the death of the child, £200; for causing the child to beg in the streets, or play in a pantomime, £25. Now, I maintain that the old Saxon system of pecuniary compensation for crime was never drawn upon so absurd and mischievous a classification as this. It is horrible that such should be the state of public morality in this country that it should be possible that a parent should be willing to maltreat his child under the influence of a pecuniary interest in the child's death. If death occur, it is murder, and murder of the most vile and horrible kind. If it were possible to make the standard of public morality still lower in this relation, it would be by a Parliamentary enactment making such horrible crime stand in the same category with ordinary domestic severity or cruelty, or with causing children to be hired out for theatrical purposes. I would ask whether, at this moment, cruelty to a child, with such a motive, is not already dealt with in some of our criminal statutes? If not, and if it must be brought into this Bill, I am not lawyer enough to say how it should be dealt with; but I am perfectly certain that it ought not to be dealt with as is proposed in this Bill. It should certainly be made perfectly distinct from the minor crimes with which it is coupled. It should stand alone in a clause by itself as a very aggravated misdemeanour, if not actually a felony, as I think it ought to be. Perhaps a wider view altogether should be taken and a separate enactment passed dealing with the insurance of children by parents. However, I leave it to the noble and learned Lord opposite to say how it should be dealt with otherwise than by a mere proviso at the end of a clause dealing with lighter kinds of offence. The noble and learned Lord the Lord Chancellor pointed out, as I understood him upon the Second Reading, the enormity of putting a crime, little short of the worst kind of murder, amongst a much lighter category, and that not even by a clause to itself, but by a proviso tacked on to ordinary kinds of cruelty which might take place under harsh or severe parents at home. Not knowing exactly what the substitution ought to be, I move to omit the proviso altogether.

Amendment moved, in page 1, line 21, to leave out from the word "months" to the end of the Clause.—(The Lord Norton.)

LORD HERSCHELL: I think my noble Friend opposite has somewhat misapprehended the scope of this proviso. There is no doubt that if a person interested in the death of a child wilfully neglects it in order that that child may die, the person so neglecting the child is guilty of murder or manslaughter if death ensues. But we are here dealing with cases where the child is subjected to ill-treatment and neglect without such unhappy consequences resulting; and the question is, how such a person ought to be dealt with. I may at the outset say that this proviso does not merely relate to cases where parents have insured the child, and so have an interest in its death. It covers that, but it does not apply exclusively to that. There unhappily have come under our experience lately cases in which the parents, or those having the custody of the child, though they were not parents, had an interest in the death of the child not resulting from insurance at all, but from a settlement giving rights to the child in some money in which those who had the care of the child had a contingent interest, supposing the child did not survive till the age of 21 years. I am not talking of imaginary cases, but of more than one case which has actually

occurred. Therefore, no provision dealing simply with the question of insurance would cover the ground which this proviso seeks to cover. Now, what is the foundation of this proviso? I cannot see that it lowers any standard of morality at all. It says if you have an interest in this child suffering in its health, or becoming worse than it is, it is all the more disgraceful of you, inasmuch as you were interested in the child's death; and the clause seeks to do this, which perhaps is all that can be done—to say if there be on the one hand the stimulus to neglect and ill-treatment of the knowledge that that neglect and ill-treatment may ultimately result in a pecuniary advantage, the law will try at least to give a counter stimulus by the knowledge that that ill-treatment and neglect, if discovered, may lead to a pecuniary loss. That is the principle of the proviso, and it seems to me a sound principle. If you can impress upon these people that, under those circumstances, they may suffer a pecuniary loss, you diminish the temptation to ill-treatment on the ground that possibly it may produce a pecuniary gain. That seems to me a counter stimulus which the law may well give, and which is in accordance with sound principle.

*THE LORD CHANCELLOR: I confess I am a little uneasy about this provision, although I quite follow what my noble Friend has said. I cannot help thinking that either this proves a motive to do the thing or it is irrelevant to the amount of punishment. It seems to me very difficult to get rid of that dilemma. If it is a mere accident that there was pecuniary gain involved in the death of the child, there is no reason why there should be an aggravation of the punishment. If, on the other hand, it is some evidence of a motive, it must be evidence that the Court is to act upon that there has been an intentional exhibition of foul play on the part of the parent or guardian who has the custody of the child, and who has a pecuniary interest in its death. At the same time, I am not prepared to say that I will take the responsibility of voting with my noble Friend behind me (Lord Norton). I am content to say, by way of protest, that I think this provision is insufficient. It is now 30 years ago since I heard that very learned and cautious Judge, Mr. Justice Wightman, express an earnest hope that the Legislature would sooner or later deal with the question of insurance upon infant life. That is now 30 years ago and nothing has been done, and I hope something may speedily be done in that direction. One objection I have to a provision of this sort is, that it appears to get rid of the necessity for dealing with the whole subject. Although I quite follow my noble Friend that this does not only apply to cases of insurance, it appears popularly to cover the ground, and I suppose the argument in men's minds would be—if the parent or guardian has in his mind the notion that he may get something by the child's death, the increase of the fine which may be imposed by the tribunal may act as a counter motive, pointing out to him that he may be deprived by the fine of all that he would get by the insurance. But it seems to me that that is insufficient. I know it is said that it is a very hard case upon parents that they may not be permitted to insure against the expenses of burial. I think it is quite possible for the Legislature to take care that no money should pass into the hands of the parents or guardians so interested, while, nevertheless, it might be possible to have an indemnity against the expenses of the funeral. I say this, because it appears to me that the proviso as it stands will lead to the impression that it is meant to meet that evil which has prevailed for 30 years. However, under the circumstances, I shall not take upon myself the responsibility of rejecting it, or of voting with my noble Friend behind me.

*LORD NORTON: May I ask the noble and learned Lord whether he will go so far to meet my view as to allow this proviso to be a separate clause? It is quite clear that if it has any meaning, its meaning is that there is a motive in the persistent neglect of the child—namely, the pecuniary interest in its death. The motive is the whole thing that gives any distinctive meaning to the proviso; and I think I may at least ask the noble and learned Lord, and I will be satisfied if he will so far concede my point, to make this proviso a separate clause, so that it may not appear to deal with a higher stage of the much minor crime connected with it, but with

a separate crime of the greatest possible aggravation by the implied motive.

LORD HERSCHELL: I do not think it would make any difference, and therefore I do not object to its being a separate clause. In fact, perhaps it may be more convenient, because I have another Amendment to propose lower down in accordance with my promise before the Standing Committee. It was pointed out, and I think rightly, that if there are any circumstances alleged which might add to the punishment, there ought to be notice of it in the indictment, and with that view I have framed another Amendment.

Amendment, by leave, withdrawn.

On the Motion of Lord HERSCHELL, the Proviso was amended to read as follows:—

"Provided that if it be proved to the satisfaction of the Court that a person was convicted on indictment as aforesaid was interested," &c.,

and the Proviso was made a separate clause, and numbered 2.

Amendment moved to add to the Proviso the words—

"Such interest aforesaid in any sum of money accruable or payable in the event of the death of the child shall be charged in the indictment, and put to the jury in the same way, as far as may be, as a previous conviction is now charged and put."

A NOBLE LORD: Would it be possible for the noble Lord to substitute a fixed imprisonment in the event of the fine not being paid at once?

LORD HERSCHELL: I think it is done already in the Bill, because there is power, as an alternative for the fine, to give imprisonment.

THE EARL OF MILLTOWN: I would point out that if the question is to be left to the jury, the words "to the satisfaction of the Court" should be omitted.

LORD HERSCHELL: I think it is quite intelligible as it is, but I have no objection to leaving out the words.

Amendment agreed to.

Amendment moved, in line 1 of the Proviso, to omit the words "to the satisfaction of the Court."

Agreed to.

Clause 1, as amended (now Clauses 1 and 2), agreed to.

Clause 3 (Clause 2 in the Bill).

*THE EARL OF DUNRAVEN: My Lords, it will be necessary for me to say a few words to your Lordships in explanation of my Amendment, and in explanation of my reasons for placing this Amendment before your Lordships instead of the Amendment which I moved before the Committee. I, on that occasion, moved an Amendment the effect of which would have been to have excepted from the operation of this Bill all theatres and music halls and so on; and I am still of opinion that that would have been perhaps the wisest course to pursue. I suggested that course, because I object to the provisions of this Bill applying to theatres and music halls, holding that it is totally unnecessary, that it is not in consonance with the general tendency of our legislation, that it is without precedent in this country or in any country, and that it would inflict a great and cruel hardship upon the children, who would be deprived of the means of making an honest living. I entertain those objections just as strongly now, but I believe that my object and end can be gained as well by the Amendment which I shall presently move as by the Amendment that I moved in Committee. I object to this legislation applying to children employed in theatres for the reasons that I have mentioned. It has been said that it is necessary to apply it to theatres because we have legislated to prevent young children being employed in factories and workshops, and even in agricultural pursuits; but I must point out to your Lordships that there really is no analogy whatever in the two cases. In the first place, the first legislation affecting young children at all prevented children being employed under a certain age in textile factories. That was afterwards extended to other trades and workshops. But, my Lords, there is nothing whatever analogous in the working of children of eight or ten years of age in factories and workshops, and allowing children to appear, generally speaking, for only a few moments upon the stage. What do these children have to do? Sometimes they may sing a few verses in chorus, but, as a general rule, all they have to do is to group themselves upon the stage, to act sometimes as vegetables,

in pantomimes, and so on, and in fact the work, such as it is, ought not properly to be called work at all. It is to the children an amusement—they look upon it as an amusement—and it enables them to earn in some cases very good wages indeed. As far as agriculture is concerned, I must point out to your Lordships that children under eight were prevented working in gangs purely and solely on account of the immorality and the evil examples set to the children by the grown persons working in gangs; and, as far as present legislation is concerned, the sole object of preventing young children from pursuing certain agricultural pursuits is that it interferes with their education, and exception is made in cases where there is no school in the vicinity, and exception is made also with respect to harvest time. I submit to your Lordships that, as far as education is concerned in the first place the theatrical training is positively beneficial to the children from an educational point of view; and, in the second place, that if it is not, and if the education of the children is interfered with in any degree, the Education Act, I submit, is quite strong enough as it is, and there is no reason whatever, from an educational point of view, for depriving children of this means of earning an honest living. As to the value of the children's earnings, it is very considerable. I have known and heard of cases where children under 10 years of age have earned £3, £4, or £5 a week. In other cases they may earn perhaps a shilling or two, or three shillings a day; but in many cases there can be no doubt—in not a few exceptional cases, but in many hundreds and hundreds of cases throughout the country—these children are able, without any damage to themselves, but with positive benefit to themselves, very largely to contribute to a family support, and in many cases are practically the bread-winners of a family, and are enabled to keep their families when the proper bread-winners are disabled by sickness, or some other cause, for a time, at any rate. As to the benefit to the children, I would like to read to your Lordships one or two quotations. I have a letter from Mr. Irving to a correspondent which I will ask permission to read, in which the case is stated very clearly and fairly, I think. Mr. Irving says:—

"I am not speaking from theory when I say that these children are educated, are well cared for, and are prepared for their struggle in life. Education is not entirely an affair of blackboards and the rule of three. There is a good deal in practical example, and the kindness with which the little ones are treated in the theatre, the discipline, order, and cleanliness enforced upon them."

My Lords, I think the whole matter is contained in that letter. The habits of discipline, the cleanliness, the order, and at the same time the kindness with which the children are treated cannot fail to have a most beneficial effect upon them from an educational point of view. I may read also an extract from a letter that appeared in print from Mr. Runciman, than whom no one has had a larger experience as a school teacher in the City of London. He says—

"A good many little fellows came to the school after the pantomimes were over, and I was always glad to have them, for, without exception, they were far beyond the average in quickness, politeness, and, above all, in cleanliness."

I could multiply instances of that kind; but I think, quoting those two authorities—Mr. Runciman, who has had such great experience in teaching, and Mr. Irving—I have quoted quite enough to show your Lordships that the theatrical training is beneficial to these children. Then, as to the hardship involved, if your Lordships understood and knew the kind of work which the children do, and the small amount of labour that is entailed upon them, your Lordships would see in a moment that really there is no common sense—no sense whatever of any kind—in the argument that anything approaching to cruelty can be inflicted upon the children. As a general rule, the children are out of the theatre by 10 o'clock. It is very rarely the occasion that they are kept later than that. As I have already said, what they have to do is, generally speaking, merely to appear for a few minutes upon the stage; sometimes they may have to sing a little, sometimes they may have a line or two to say; but, as a rule, the labour involved is absolutely infinitesimal, and I defy anyone to put before your Lordships any case to show that anything in the minutest degree approaching cruelty is

involved in the employment of children in theatres. Then, my Lords, what is the alternative position of these children? Your Lordships must not suppose that if these children did not go to the theatres they would be all at home and put quietly to bed. I would like on that point also just to read an extract from a letter which describes very well the circumstances in which these children would generally be. That is a letter from Mrs. Ellicott, the wife of the Bishop of Gloucester and Bristol. She says, speaking of Gloucester—

"I have, when returning home from a party, seen, as late as half-past 11, little children, some in arms, some clinging to their mothers' skirts, emerging from public-houses in the streets of Gloucester; other poor little wretches huddled together on doorsteps, waiting for their tipsy parents."

As a matter of fact, if these children are not in the theatres, they are, in the generality of cases, in the gutter. It is perfectly true that some of them are the children of stage carpenters and other persons employed in the theatres. In those cases they are looked after very well by their mothers. They are under their fathers' or their mothers' eyes the whole time; but in the great majority of cases these children would be in the gutters in the back slums of London; and I need not describe to your Lordships the kind of scenes that they would see, the sort of language that they would hear, or the lessons in morality that they would be likely to learn. As a matter of fact, the theatres are doing a great and beneficent work; and if your Lordships have the wish to benefit the children in the poorer slums of London, and in our great towns, what you ought, in my opinion, to do, if it were possible, would be, not to prevent the employment of children in theatres, but, if possible, to multiply it a hundred or a thousandfold. It must be remembered that this Bill, if not amended, will affect a vast multitude of children. I do not know how many may be employed in theatres, perhaps 2,000 or 3,000; but this Bill will affect thousands and thousands of children who now sing in out-of-door concerts at the Crystal Palace. I have seen the programmes for this year, and the number of children singing will come to something like 30,000. The choral concerts will employ 3,000 children in the Nonconformist Union Choir; the London Sunday School Choirs, 5,000; the Association of Tonic sol fa Choir, 4,000; the National Temperance League, 5,000; the Church Sunday School Choirs, 5,000; the Tonic sol fa Association, 3,000; the Catholic Total Abstinence League of the Cross, 5,000; the National Co-operative Festival, 5,000. Of course, I do not mean to say that all those children are under 10 years of age; a great many of them are older, but there is no question about it that a very large number of them are under 10 years of age, and if your Lordships legislate so as to prevent those children singing, you will, practically speaking, put a stop to these festivals altogether. These festivals are looked upon as the one great holiday of the year by these children; they prepare for them during all the year, and I do not think your Lordships, after considering the matter, would wish to deprive these children of the pleasure and advantage of singing in these concerts. It has been stated also that there is legislation of this kind in other countries. I wish to correct that mistake. I did so before the Committee, but your Lordships will excuse me if I repeat it before the House. There is no legislation of this kind whatever in France; anybody can employ children under 10 years of age in theatres, provided it does not interfere with their education; and, further than that, not only is there no law prohibiting their employment in France, but the law compels the managers of the State subsidised theatres and the Grand Opera to employ children under 10 years of age. There is no law in Belgium, there is no law in Italy, none in Germany, none in Russia, none as far as I know in any European country. There is no law of the kind in the United States. It is true that in the State of New York as I mentioned before the Committee and also in the State of California, as I did not at that time know, children are prohibited under 16 years of age from playing, but leave can be given for their employment in case of singing. At the same time I must point out to your Lordships that in the State of New York there is also a law which prevents children, male or female, I think it is under the age of 16, from going to a great number of places of

entertainment, in public houses or anything of that kind where entertainments are going on; in fact, places answering to a great extent to many of our music halls. There is a law preventing children visiting them in any way unless accompanied by their parents or guardians. Well, I do not think your Lordships would take as a precedent legislation of such a great-great-great-grandmotherly description as that which would prohibit boys of 14 years of age from going into a music hall at all. Then, my Lords, the advantages of this early training have been mentioned, and the noble Lord opposite said that it could not amount to much because many of our best actors and actresses had not played at this early age. But on that point also I would like to read a short extract from another letter of Mr. Irving's. He says—

"The earliest years in a theatre are often of infinite value to members of our calling, and I do not hesitate to say that some of our most distinguished actresses owe their success very largely to the fact that they were brought up in a theatre, and that the stage was to them both a nursery and a school-room."

That is an opinion which I do not think ought very lightly to be set aside. You must remember that Miss Kate Terry, Miss Ellen Terry, and Mrs. Kendal, Miss Bateman, Mrs. Bancroft, and I dare say many others all played upon the stage as very small children. Your Lordships may, perhaps, have seen a letter from Mrs. Bancroft, the other day to the *Daily Telegraph*. Writing from the Engadine, she says—

"As since my earliest childhood I have been associated with the stage, I may, perhaps, be permitted to speak on this vexed question as to the employment of little children in theatres. I fail to understand what baneful influence there can be in their atmosphere to affect the moral nature of any child. My experience of our theatres is that the children are there so petted and made much of, so fondled and cared for, that when the run of a play in which they have been employed comes to an end, the little creatures often cry bitterly at the thought of being taken away, probably in their hearts dreading the return to the squalor, neglect, or rough treatment."

I received also a letter which I read before the Committee, and which I would like to read to your Lordships' House from a lady who wrote to me enclosing a communication she had had from a friend, asking this lady to make interest with her brother, who is a member of your Lordships' House, not to allow this clause to come into operation. She says—

"Owing to my niece and nephew having entered the dramatic profession two years ago, I have seen a great deal of the life of stage children, and can assure you that in all my experience I have never seen any of the evils put forward by those who are pressing that Bill, but I know that it will fall most heavily upon hundreds of children who are now gaining an easy and honest livelihood under careful supervision."

I do not wish to trouble your Lordships with any more extracts and quotations. I might multiply them if necessary, but I think I have quoted enough, and from sufficiently high authority to convince your Lordships that not only are the children enabled to earn a good living by theatrical employment, but that it is not harmful to them, but decidedly beneficial to them, and, above all, that there is nothing in any shape or kind resembling cruelty involved. It is quite true that the title of this Bill has been changed, but changing the title does not change the contents of this Bill, and the whole meaning and object of the Bill is to protect children against absolute physical suffering and cruelty; and I appeal to your Lordships whether it is just to persons who employ these children, or whether it is at all consistent with our general course of legislation to enact that children may not be employed in theatres, in a Bill which, although it is called the Protection to Children Bill, is in reality aimed at preventing actual physical suffering and cruelty. If this Bill were to become law as it is, there would be injustice done in certain minor degrees that I could mention. It would be necessary for children to produce their certificates of birth. Now, to obtain a copy of the certificate costs, I believe, a shilling. Your Lordships must remember that in the pantomime season, I suppose for one child that gets employment probably three children apply, and in all cases those children will have to spend a shilling in order to get a copy of their certificate. A shilling is not intrinsically a very large sum, but a shilling is a very considerable sum in the family economy of hundreds of families whose children are employed in pantomimes. The practical effect of this Bill would be to make bogus certificates rise in the market, and to put stunted children at

a premium. You would have children of diminutive size pretending to be under 10 years of age, or children who are not properly developed supplying the places of children, who are now on the stage at four or five years of age; in fact, I believe the practical effect would be that it would become a dead letter, and I think there is nothing so unwise in legislation as to allow an Act to remain on the Statute Book containing such provisions that, although a great part of the Act may be exceedingly good, those provisions turn the whole of the Act into ridicule, and tend to make it practically of no effect. Those, my Lords, are the reasons why I object altogether to applying this legislation to theatres and music halls. But I am perfectly content to deal with the matter in the way I proposed; that is to say, by practically licensing the managers of these places to employ children. I am perfectly convinced and certain that in all cases they will have no difficulty whatever in showing to the satisfaction of any competent authority that every provision is made for the children's welfare and comfort, and that no possible harm can come to them, and therefore if your Lordships will agree to my Amendment I am satisfied that the object which I have in view will be carried out. I may be wrong, but my impression, so far as I could judge, was that if I insisted upon my original Amendment and succeeded in persuading your Lordships to admit it, there would be some danger that the Bill might not become law at all this Session. There is so much in the Bill which is excellent that I should be very sorry that it did not become law this Session, and that practically is the reason why, instead of pressing my original Amendment, the effect of which was to prevent the application of the Bill at all to theatres, I prefer to move the present Amendment, which will enable managers to obtain leave to employ such children. I think I have now given all my reasons to your Lordships, and I beg leave to move the Amendment which stands in my name.

Amendment moved, at the end of Clause 2 (now Clause 3), to insert the following Proviso:—

"Provided also, that in the case of any entertainment or series of entertainments to take place in premises licensed according to law for public entertainments, where it is shown to the satisfaction of a Court of Summary Jurisdiction that proper provision has been made to secure the health and kind treatment of any children proposed to be employed thereat, it shall be lawful for the said Court, anything in this Act notwithstanding, to order that any child, of whose fitness to take part in such entertainment or series of entertainments without injury the said Court is satisfied, be permitted to take part in such entertainment or series of entertainments, and such order may at any time be varied, added to, or rescinded by the said Court upon sufficient cause being shown; and such order shall be sufficient protection to all persons acting under or in accordance with the same."—(The Lord Kenry, *Earl Dunraven and Mount-Earl.*)

LORD HERSCHELL: I do not propose to trouble your Lordships at any length upon what I may call the main question of this Amendment—namely, the general argument as to the expediency or inexpediency of such a prohibition as is proposed by the Bill, because the matter was discussed, and I expressed my views upon it on the Second Reading, and I have seen no reason to alter those views, and I have no desire to trouble your Lordships with a repetition of what I then said. I cannot admit that this provision, if a proper one at all, is out of place in this Bill. The title of the Bill has been so changed as not exclusively to relate to cruelty to children, and, therefore, without in the slightest degree charging that these acts committed with regard to children under 10 are cruelty (I never have put the case in that light, and I do not now), nevertheless it is quite open to say that a Bill for the better protection of children may well include a provision which, in the opinion of those who advocate it, will save many children from suffering. I know perfectly well that there is a considerable difference of opinion as to the expediency of such a provision as this, but certainly many of the arguments that are used against it were used with just as much force against legislation to which the Legislature of this country is, I believe, irretrievably committed. In saying irretrievably I do not mean to cast a doubt for a moment on the expediency of that legislation, but even those who are opposed to it must admit that it would be hopeless to expect to retrace our steps with regard to it. And I cannot see that if it be right to insist that children shall not work in factories

or workshops at this tender age, it can be otherwise than right to insist that they shall not occupy themselves in such work as some of them are engaged in in theatres. As far as one can judge one's self, I must say I believe it to be just as likely to be injurious to their health, and indeed more likely than some of the operations which are at the present time prohibited. In the case of agriculture, I believe children might more safely be employed at a tender age and without injury to themselves, and with equal benefit to their parents, and equally in the interests of those who desire to employ them, as they could be in the case of theatres. Therefore the question really is, is there any sufficient reason shown for making an exception in the case of theatres from the legislation which prevails with regard to other occupations. My noble Friend opposite has said that these children, if not so employed, would not be at their homes. but would be in the gutter or upon the streets. That that may be so with some of the children I do not for a moment deny, but from all I can learn there is no reason for supposing that that is an accurate statement as regards the bulk of the children employed. I have heard very different statements, that they are taken mostly from children of what may be termed the lower middle class, who might be perfectly well at home cared for and tended if not occupied in the way which is aimed at by this provision. No doubt in the case of some children it may be important for their parents that the money which they get by acting should be received, but I doubt very much whether that is so in the case of the large majority of the children. And I think noble Lords will see in a moment that that is likely to be the case, because a manager who has to train such children for the stage will naturally seek out those who have had some little education, some little training, some little cultivation, more likely to be amenable to discipline and more likely to be easily taught. The consequence is, I believe, that the last to be engaged would be those who may be called the gutter children. With reference to the education of these children, it has been suggested that it will benefit by this employment, and my noble Friend opposite has read the opinion of one authority to that effect. I have been furnished with the opinion of authorities I believe equally entitled to speak and to be listened to on the subject who take an entirely different view. I had representations made to me in a memorial signed by a very large number of members of the London School Board, who, looking at the matter from an educational point of view, were of opinion that the education of the children suffered, and that it was impossible for children to comply with the law and make the required school attendances without which their employment is absolutely unlawful, and at the same time be occupied in this way out of school hours. I will trouble your Lordships no more upon the general question, but proceed to say a few words upon the particular Amendment moved, and to state to your Lordships the course which I purpose taking with regard to it. I shall myself ask your Lordships to reject this Amendment, but in view of the possibility that that course may not be taken, I shall first endeavour to amend it, as I believe it is competent for me to do, by limiting to some extent its scope. Now when my noble and learned Friend opposite, the Lord Chancellor, moved his Amendment in the Standing Committee, he limited the dispensing power as I will call it, to children over seven, that is to say between seven and ten, and he permitted the clause to be absolutely effective as regards all children under seven years of age. I venture to think that if there is to be a dispensing power at all, it is time enough to begin when the children have reached seven years of age: even if you are not prepared to prohibit this employment up to the age of ten, you may well insist that children shall not be allowed to perform in public for profit during the tender years of their life between seven and ten. Therefore I shall ask your Lordships to insert after the word "children" in line 5, the words "exceeding seven years of age." Then I should like to call your Lordships' attention to the tribunal which the noble Earl suggests as the proper dispensing power, because it is really a tribunal and it does not seem to me to be a very fitting mode of carrying out his views. Application may be made to a Court of Summary Jurisdiction, and where it is shown to the satisfaction of such a Court that the child

will be properly cared for, and is not likely to be injured, then dispensation may be given. Now a Court of Summary Jurisdiction means any Justice of the Peace, and it is not necessarily confined to Justices sitting in Petty Sessions. Therefore, so far as I can see it would be competent for a theatre manager, we will say, desiring dispensation to go to a Magistrate, and if the first Magistrate he went to refused the license, to go to another Magistrate, and then go the round of the Magistrates until at last he found a Justice who took the same views as himself, and get his sanction to the performance. So far as I can see, there is nothing in the fact that one Justice has decided that the license shall not be granted to prevent another taking a different view and granting it. I cannot think that that is expedient or desirable. You might have a large majority of the Justices having jurisdiction in the place where the theatre is determining that it will be injurious to the health of a child and inexpedient to allow it to perform there, and if the manager can get any one Justice within whose jurisdiction the theatre is situate to fall in with his views, he can give the license and the child will be allowed to perform. That is my strong reason for objecting to the whole machinery of this clause as proposed by the noble Earl opposite. I do not think it necessary to say anything further upon the clause at present.

*THE EARL OF DUNRAVEN: Perhaps it will be convenient for me at once to express my regret at my ignorance, and to say that I did not know that a Court of Summary Jurisdiction could consist of one Magistrate. What I meant was the Magistrates in Petty Sessions or a Police Court.

LORD HERSCHELL: Unfortunately the Summary Jurisdiction Act defines "Court of Summary Jurisdiction" as "any Justice."

*THE EARL OF DUNRAVEN: I will readily assent to any Amendment of my Amendment which puts that matter right.

*THE EARL OF POWIS: I should like to ask the noble and learned Lord to consider whether if he maintains Clause 2 in its present shape, it would not be fair both to the children employed, and to the employers that some rather more distant date than that of the Bill receiving the Royal Assent should be fixed for this clause to come into operation. It would be very hard on the children in many cases earning valuable money to be deprived of it at a day's notice; it would also be hard on the employers of those children, especially those who are moving about the country, if the piece is to be summarily put an end to by a number of the young persons employed in it being suddenly forbidden to act any longer.

LORD HERSCHELL: With reference to the appeal of the noble Earl, I shall be quite prepared to provide that this clause shall not come into operation until the 1st of November.

*LORD WATSON: I should like to say upon this clause that in Scotland a Court of Summary Jurisdiction consists only of the Sheriff or the Sheriff Substitute. Therefore I take it these provisions would not be open to the objection stated by the noble and learned Lord on the Front Bench. The authority constituted by the clause moved by the noble Earl in Scotland is the High Court of Justiciary and the Court of Sessions, and in England or Ireland the Lord Chancellor. The Lord Chancellor being present to speak for himself, I say nothing as to the Authority constituted for England and Ireland, but I do think that in Scotland the High Court of Justiciary and the Court of Session is not a proper body to which to refer any such duty as framing the rules for the admission of children either above or below seven years of age to act temporarily in theatres.

*THE LORD CHANCELLOR: I may point out that the noble Earl did not move that part of his Amendment. I had already pointed out to him the objections to it, and he agreed not to move it.

*LORD WATSON: I think it right that there should be some general rule throughout the country, and that some such authority as is referred in the last part of this clause ought to be established, but I would suggest that the authority constituted for Scotland should be the Secretary for Scotland, who has means at his command which will enable him to frame a proper system of rules that will ensure some degree of uniformity throughout the different counties and burghs in Scotland.

THE EARL OF MILLTOWN: I would like to point out to the noble Earl beside me (the Earl of Dunraven) that the Amendment as it now stands would involve an almost intolerable amount of duty to be performed by the police Magistrates in London, because it would necessitate inquiry into the case of every individual child. As the clause stands, it is this:—

"It shall be lawful for the said Court, anything in this Act notwithstanding, to order that any child of whose fitness to take part in such entertainment or series of entertainments without injury the said Court is satisfied."

That would necessitate an examination into the case of every individual child. I think the objections to the clause as it was originally proposed to be amended would be got over by this alteration—to make it read, "That any children under the said age be permitted to take part." Your Lordships will see that the Amendment goes on to state that it is always possible to obtain a revocation of the order in case of anything being proved to be injurious to the health or, I presume, the general well-being of the child. I venture to suggest that some Amendment of the Amendment is necessary if the noble Lord wishes to make his proposed clause workable. With regard to the observations of my noble and learned Friend opposite as to what constitutes a Court of Summary Jurisdiction I should advise the noble Earl beside me to insert instead of "a Court of Summary Jurisdiction" the words, "Two Justices sitting in Petty Sessions or a Stipendiary Magistrate."

*THE EARL OF GALLOWAY: I cannot help expressing my regret that the noble and learned Lord has determined to oppose this proposed Amendment to part of the Bill. The Bill is a Bill for the protection of children, and from all that I have learnt these theatrical children do not stand in need of protection at all. I think it would be a great misfortune if the House took that extreme view of the matter. I believe that employment of this kind for children is the best thing in the world; it takes them out of all danger of evil of every sort, and I do not see any necessity for hurried legislation of this kind. There was a letter in this day's *Times* from Mrs. Jeune which impressed me very much. According to her own experience and that of others with whom she acted and whose names she gave, this employment, so far from having an evil influence, had quite the reverse on a great many of the children, and the statistics she gives show that the employment has been attended by beneficent and beneficial results. I hope the House will consider this Amendment, when its wording has been suitably altered, a most reasonable one in the interests of the children.

*THE ARCHBISHOP OF CANTERBURY: My Lords, I was very unwilling to interrupt anything which might conduce to the amending of the Amendment itself, and the putting it in the best shape before your Lordships, but I hope we cannot be said to have quite done with the general question. The noble Earl behind me cast a very rosy stage light indeed over the condition of these children. It has been represented to us as a few minutes' easy and amusing trifling upon the stage at not a very late hour in the evening, as if that were the whole of what was involved; but inquiry shows there is a great deal of hard work connected with the getting up of those few minutes play-work even if a few minutes described this work of the children. We have the account given by Madame Katti Lanner, professional trainer to one of the greatest theatres in London, of the work of the children under her care. Madame Lanner says that the children were at school from nine, or, in the case of the younger ones, half-past nine till a quarter or half-past twelve, that is at their ordinary schooling. The rehearsals were taken between that time and a quarter to two. At two the children return to school, and at half-past four, for as long as is necessary, the rehearsals are resumed. When rehearsal is finished, and the time of the theatre begins, the theatre does not end at ten o'clock. It is eleven o'clock or twelve before the children leave; that is a day of fourteen or fifteen hours spent by these children between the preparation for school and the preparation for the stage or the stage itself. Then, if we inquire into what is the effect upon the whole of the children, it is not so merely a refreshment and recreation tending to their health and strength, as some believe. One of the leading children's physicians in London, who has given years of atten-

tion to the subject, writes, in a letter which has been forwarded to me, "that this night employment, and especially of girls, is necessarily injurious to bodily health, and in London a cause of disease." If your Lordships will look at the tabular statements of the excessive number of children suffering from nervous disease in the hospitals, I am sure your Lordships will think that these are not times in which children ought to be forced through a great deal of this nervous and exciting work. It is not merely that the child smiles when it is amused, the children are kept to the moment in a state of tension, and they are taught for hours beforehand to retain and keep themselves in a state of tension, till the very moment when they ought to laugh or till the very moment when they ought to frown. Now, I do not say at all that this kind of discipline is bad for children—far from it. But I say that the immense amount of it, taken in combination with what we are obliged to require from them at schools, is very injurious, in the opinion of the best physicians, to the health of the children. Then the mischief is not over when the theatre is over. The children have to leave the theatre for home. I see it stated in a fascinating and able letter which appeared this morning in the *Times*, that the children are sent from the theatres with an *employé* of the theatre to the train. That may be so now, but it was not the case a very short time ago, nor was it the case at one of the best places of public amusement. I have here the account of a lady who attended the pantomime at the Crystal Palace for the purpose of seeing what became of the children. She says:—

"All the children left the theatre with the black on their eyes and the paint on their faces just as they had been on the stage. No one came to meet them at the theatre, and they divided up into groups and strolled about the Palace. My friend and I accompanied one of these groups into a 3rd class carriage of the train leaving for London at five minutes past 10; there were, perhaps, a dozen children of all ages in the compartment. The younger children were dreadfully fagged and evidently dead beat. They leant against the carriage or against each other in attitudes of complete exhaustion. None of those we spoke to had anyone to meet them at the Palace, and very few had anyone to meet them in London. They had to change trains for Ludgate Hill, some going to Drury Lane or Leicester Square, which they would reach about half-past 11."

Then she goes on to describe the case of a child who would have to take train to Gower Street and then get to Great Coram Street—

"My friend went on with the child and found things exactly as she had said. She was left utterly unprotected and in an exhausted condition to find her way home. They arrived at Great Coram Street close on half-past 11, and the little thing thankfully took my friend's hand."

I will not detain your Lordships further, but the lady goes on to give a similar account of her own experience. This is in mid-winter, late at night in the lonely streets, and with the children very lightly clad. A very different account indeed from the account which your Lordships will have read in the *Times* this morning. Well, I say this severe preparation for night work, and the nightly work itself, and the getting home afterwards are all bad for health. But then there is the next morning. The same children have to be at 9 o'clock in school, and that combination appears to me to be the worst feature of the whole case, as regards the children's health. My Lords, you would not let your own children even amuse themselves night after night by looking on at these performances; and if your Lordships know very well that the children would be exceedingly excited by the performances—if you know that they would be quite unfit for their ordinary lessons the next morning, what is it to these little children, not just standing still as "Vegetables," but with a great deal of running and dancing to-and-fro, and a great deal of exertion leading to the fatigue which is here described. Then I have taken pains—I thought it my duty—to inquire into what is the view of the children's condition from the school side. I have taken a very experienced elderly teacher who has had a life's experience, who is a well known man in the schools in London, knows them all, and is himself a principal teacher; and he tells me that the lessons of course are unlearned—that must be the case—there is not time to learn them. Moreover, the children when they come to school are too tired to learn there, at once restless and sleepy. Sometimes, as he says, he has scarcely had the heart, knowing that the wages they earn were so valuable (I am most anxious that there should be no exaggeration on the one side or the

other) not to ease everything to enable the children to go on, but he says it is a vain task, and practically he may state as a general rule that the boys do miss their year's standard, they are unable to pass at the end of the year, and that means that they are a year longer at school. Then when all that is over the race of life itself begins, and he says the best educated, and the best trained boys of course get the places that are to be had; they get the start in life, and the other children are hindered, not only in their school lessons, but are practically unfitted for their work in life by the time when they ought to enter upon industrial occupations or upon employment as clerks. I believe that we may say that the preparation for stage-life itself is not worth thinking of, and could easily be made up at the age of 10 years if the children are really going to be devoted to the stage. But, my Lords, one of the worst things connected with it, is what was described to me by another of the witnesses I talked to, as the bogus schools. The children are taken away from their Board Schools, or National Schools, and a certificate is given by people who undertake to keep them at school and to teach them something, but in reality there is no teaching to speak of at all. Now, either the school is a serious thing or it is not. If it is not a serious thing, if it is a mere pretence, there is not one of your Lordships who would think it proper that a child should be treated in this manner, because it must be a great interference with all that a child's education is intended to fit him for in life. If it is not a serious thing, if it is a pretence, it ought not to be allowed; and if it is a serious thing it involves excessive hours for children under 10 years of age of hard and continuous work. Then as to the profit to the family. That has been disregarded in all other cases. It may be hard; I sympathise with the hardness as much as possible; but it has been thought right to disregard it in all other cases in order that the child may be better fitted for its life, and that the parents may be really benefited by the child receiving a good education. Then we are told what good wages the children get in many cases. Yes, the very clever and able children do, but the ordinary payment for a child is only 7d. a night; that is to say, four or five shillings a week, lasting over three months. That is what the mass gain, and that is the whole profit to the family. But I say it is no real profit if the boy loses a year and is disqualified for his work; and, again, I say it is still less of a profit if it ends, as I am sure it does very frequently, in nervous weakness. It has been said that many of these children, or you might almost believe from what is said in the papers that all of them, are gutter children. Now, let me quote to you Mr. Oscar Barrett's statement. Mr. Oscar Barrett is the manager of the Crystal Palace Pantomimes. Upon a deputation at which he spoke, to meet objections urged against the system, he observed that "Theatrical children were far better off than ordinary children—they were supposed to be gutter children, but they were not." I have inquired of people who have devoted their whole lives to the service of the poor and to their children. I will not mention Mr. Waugh, lest it should be thought that he is an advocate, although I am sure that anyone who has read his statements will admit that there could not be a fairer-minded man. I might quote Miss Octavia Hill, who is intimately acquainted, in the minutest details, with the life of all these people, and who has devoted herself in a cool rational spirit to her good work, and another lady of the same surname, Miss Frances Davenport Hill. They have no knowledge whatever of invalid parents being maintained by children, or being kept out of the workhouse. They have knowledge of a very great number of families in which the earnings of the children are spent in drink. But, my Lords, these children are not really gutter children. The managers of theatres and pantomimes do not want half starved, emaciated, poor little bony children; they want the lithe, well-fleshed, well-formed, easily moving children; children already well mannered, in order to do the work of the stage. I know that there are two classes. There must be among them some exceedingly poor children. Of them I have spoken already. No doubt there will be loss there; but I am persuaded that the loss is very small indeed compared with the gain which it would be to all alike to be kept at school,

at any rate up to such a tender age as 10 years. Again, we have been told that if the children are not in the theatre they would be on the streets. I dare not venture to put my experience against the experience of others who have written and spoken on this subject; but I thought it worth while three or four weeks ago to walk through the lowest streets and alleys in Lambeth, and that is a very suitable place to walk about in, because there are three theatres there. In walking for about an hour, between the hours of 10 and half-past 11, I met 13 children. The majority of these were with their parents, or they were going to the shops, whose doors were still open, although the shutters were closed, to fetch things for their parents, all in the quietest and most simple manner. There were three children in the gutter, for three children were employed in picking up the remnants of some fruiterers' packages. There was no rioting or anything of the kind in the streets—in fact, the streets were much quieter than I expected to find them, but there were no children at all about who in any way answered to the description of gutter children, seeing, and hearing, and mixing in all sorts of monstrosities, and who would be better off in theatres. The fact is that these streets which I walked through simply swarm with children the whole day long, while at night there were, as I have said, only 13 children, the rest were in bed. I have no wish to say a word about the characters of those who I am persuaded are good and kind to the children. I believe that very large numbers of them are perfectly irreproachable; but there must be, and we know there is, a rank and file whose examples and contact cannot be very beneficial to the children, and we know also that there are such things as stage doors. However, I believe the profession generally to be neither worse nor better than other professions. But what I do feel is that I have satisfied myself on two points. The wages that these children earn are not worth such a sacrifice as that of health, and nerves; and the work itself is not healthful. The mixture of school work and stage work is I am persuaded most injurious, while the incidents of the children having to make their way home are still more trying to them.

The Archbishop of Canterbury

Amendment amended by leaving out the words "a Court of Summary Jurisdiction," and substituting the words—

"A stipendiary Magistrate or Petty Sessional Court in England and in Scotland the Sheriff or Sheriff Substitute."

THE EARL OF MILLTOWN: I propose to leave out the words—

"Any child of whose fitness to take part in such entertainment or series of entertainments without injury the said Court is satisfied,"

and in lieu thereof to insert the words "children under the said age."

*THE EARL OF DUNRAVEN: I shall be glad to accept that Amendment.

LORD HERSCHELL: I very much prefer the words as they stand, because then it does require the Court to be satisfied that the child, as to whom the dispensation is given, is fit to take part in the entertainments. I shall certainly oppose this Amendment.

THE EARL OF MILLTOWN: I can quite understand my noble and learned Friend opposing it, because the Amendment would be perfectly unworkable if it is left as it is.

On Question, "That those words stand part of the Amendment," their Lordships divided:—Contents 37; Not Contents 20.

LORD HERSCHELL: I now move, in line 5, after the word "child," to insert the words "exceeding seven years of age."

*THE EARL OF DUNRAVEN: I cannot accept that Amendment. I think that every argument I have used already applies to that Amendment, and I will not trouble your Lordships by arguing the matter further.

LORD HERSCHELL: I should have thought that those who were most ardently in favour of omitting this occupation from the provisions of the Bill would have conceived that there was some age below which employment ought not to take place. Can it be really right to permit children below seven years of age to take part in these entertainments, and pursue their education at the same time?

THE EARL OF MILLTOWN: The difficulty is reduced to an extent by the 8th clause, which reverses the usual procedure in Courts of Justice, where it is necessary for the prosecution to make out their case by providing that the de-

fendant must prove to the satisfaction of the Court that the child is above the actual age. That will stand enormously in the way of managers employing these young children. It is next to impossible to ascertain that these children are above the actual age. It would involve an enormous expense to them, and the difficulty would be so great as to render it impossible for managers to run the risk of prosecution, and they will therefore be bound to give up employing children altogether.

*VISCOUNT CROSS: This matter came before the Royal Commission on Education, and differing, as we did, upon many vital points with regard to that matter, upon this particular subject we were absolutely unanimous that these children wanted some protection. We had suggested some modification of the Factory Act. What your Lordships have inserted in the Bill would practically meet precisely the same point; but I do trust, on behalf of these young children under seven years of age, that the House will step in and protect them from what I am quite sure must in their case at all events result in cruelty.

*THE EARL OF DUNRAVEN: If the last Amendment had been carried the case would have been rather different; but your Lordships will remember now that the Courts have got to decide as to the fitness of every particular child. One child of only seven years of age may not be physically fit to play in a theatre, whereas another child may be perfectly fit. Your Lordships are aware that a great number of plays cannot be played if you insist upon this proviso—I refer to such plays as *Claudian*, *A Midsummer Night's Dream*, *The Winter's Tale*, and so on.

LORD CLIFFORD OF CHUDLEIGH: I may say that the *Midsummer Night's Dream* is played in Germany frequently without children. I would really ask the noble Lord why that play cannot be played without very young children?

*THE EARL OF DUNRAVEN: There must be small fairies.

On Question, that those words be there inserted—agreed to.

On Question, that the following words be inserted at the end of Clause 2 (now Clause 3):—

"Provided also, that in the case of any entertainment or series of entertainments to take place in premises licensed according to law for public entertainments, where it is shown, to the satisfaction of a Stipendiary Magistrate or Petty Sessional Court in England, or in Scotland the Sheriff or Sheriff Substitute, that proper provision has been made to secure the health and kind treatment of any children proposed to be employed thereat, it shall be lawful for the said Court, anything in this Act notwithstanding, to order that any child exceeding seven years of age of whose fitness to take part in such entertainment or series of entertainments without injury, the said Court is satisfied, be permitted to take part in such entertainment or series of entertainments, and such order may at any time be varied, added to, or rescinded by the said Court, upon sufficient cause being shown; and such order shall be sufficient protection to all persons acting under or in accordance with the same."

Their Lordships divided:—Contents 31; Not Contents 24.

Clause agreed to.

VISCOUNT CRANBROOK: I do not wish to move an Amendment of this clause, but I cannot help calling attention to one particular part of it which strikes me as very remarkable; that is to say, that if a man is committed for trial his child is taken away, and is placed with some other person to be taken charge of, and that if he is acquitted no compensation is paid to him at all; though he is not found guilty of any crime or offence, all that has been done during the time he has been waiting for trial he is made to condone, as it were, and to pay for, though it has been against his will, and though his child has been taken from him for no offence whatever.

LORD HERSCHELL: I would point out that this is not compulsory at all. The clause merely gives the power in certain cases to remove the child from the custody of the parent when he is committed for trial. I think your Lordships will see that there are cases when it would be not only most expedient, but even necessary; for instance, if a parent were committed for trial, and were out on bail, the child might be intimidated, or might suffer seriously in consequence; therefore I think that the provision is perfectly right. But at the same time, I quite agree with the noble Viscount opposite that the provision as to the payment of any money ought to be had regard to. On Report I will propose an Amendment to meet this objection.

*THE LORD CHANCELLOR: I would also call attention to the fact that the phrase "Court of Summary Jurisdiction" appears here again. The noble and learned Lord will probably consider that on Report.

*LORD NORTON: My Lords, I have given notice, upon this clause, to move that the last three lines be omitted. The proposal in these three last lines is that the Secretary of State should make rules and regulations for the conduct of children in the foster homes to which they are committed by this Bill, and for the inspection of them. I think that that strikes at the whole principle of the Bill. The principle of the Bill is to place the foster parent *in loco parentis:* he is to take charge of the children, and to have all the responsibility of a natural parent. But under this clause the foster parent is relieved of responsibility, and the conduct of the child is put under the regulation, management, control, and inspection of the Secretary of State. Is the Secretary of State to regulate the homes of England, whether they are foster homes or the homes of natural parents? I protest against this. It destroys the feeling of parental responsibility, and it places the responsibility of home duties on the Secretary of State. If the Secretary of State must regulate these foster homes *à fortiori* he ought to regulate the worse kinds of homes for which these foster homes are substituted; and the ultimate corollary to these three lines would be that the Secretary of State had better regulate every home in England. This point was discussed in the Standing Committee, and this proposal was defended as a parallel to rules made by Guardians in the case of boarded-out children. There is no parallel whatever between the two cases. Guardians boarding out children are obliged to make rules for the conduct of the children in the places where they send them, because they pay for their care, and have to account for an expenditure of public money. They, therefore, make some rules (which are, after all, very slight) for the schooling of the children, and their clothing, and so on. But in this case the foster parent will be invested with the whole of the responsibility: he will be put in the position of the parent: he is the parent in the eye of the law, and is as much answerable to the law for any neglect or abuse of duty as any other parent. Nor is there any reason why the Secretary of State, if he should make regulations with regard to these foster homes, should not make similar regulations with regard to all the homes in the country. I think the State is already intruding a great deal too much upon the domestic life of this country. It is against the whole spirit of this nation that the State should be constantly interfering in domestic life. It is a foreign and not an English idea. In England we consider that a man's house is his castle, and that he may keep out the Secretary of State or anybody else, unless he abuses his position as a citizen; in which case he is amenable to the law, without special rules imposed. I say it would be a step in the wrong direction, and against the independent spirit of this country, if we passed the three lines at the end of this clause, which would relieve the foster parent of responsibility, and put it in the power of the Secretary of State to regulate the conduct of domestic life.

Amendment proposed, Clause 4 (3), page 4, line 27, to leave out from "approves" to the end of the Clause.—(*The Lord Norton.*)

LORD CLIFFORD OF CHUDLEIGH: The arguments of the noble Lord who has moved the omission of these words, if they go for anything, go against the whole spirit of the clause; that is to say, the whole spirit of the clause is that the State does step in, and does interfere with the rights of the parent by taking away the child altogether. It appears to me that if the State takes the child from the parent, it may be bound to make such rules and regulations as shall ensure the proper custody of that child in the hands of those in whom it is placed. I hope, therefore, that the House will not agree to strike out these words, which, while casting no absolute duty upon the Secretary of State to make such rules, give him ample power if it be found necessary to make rules which will ensure the proper carrying out of the clause.

*EARL FORTESCUE: I quite agree that Parliament has power to authorise the Secretary of State to make rules for

the custody of these children who are to be entrusted to a sort of foster parents; but the question seems to me to be, is it expedient that the reasonable authority for the child, who is to be a sort of adopted or foster child, in default of the proper treatment and care of the child by the parent, should be vested in the Secretary of State? Is it likely to work well? Will it not disincline the most desirable foster parents to adopt these children and take care of them if a sort of notion gets abroad that they are subject to a number of vague rules and regulations? It seems to me, I must say, that if the foster parent is fit to have custody of the child, and to be placed *in loco parentis*, he should be entrusted with the whole duty and responsibility of its proper care. I entirely agree with my noble Friend who moves this Amendment.

*LORD NORTON: I would like to say one word in reply to the Lord Clifford of Chudleigh. I could quite understand his argument if the State, in taking away the custody of the child, undertook the care of the child itself. Then the matter would be parallel to the boarding out of children by Boards of Guardians. But in this Bill the State takes away the child from the parent, and places it in the hands of a foster parent; and I say that when the State has once placed the child in the care of the foster parent, it weakens the sense of responsibility in that foster parent that the Secretary of State should undertake to regulate his conduct.

LORD HERSCHELL: I should be very much opposed to any interference with the foster parent beyond what is absolutely necessary to secure the proper treatment of the child committed to his charge. The provision contained in the clause does not really contemplate that the Secretary of State should undertake the management of the child, or dictate to the foster parent how it is to be managed. It gives to the Secretary of State the widest discretion to make such regulations in relation to these cases as he thinks necessary. I cannot but think that it would be desirable that at least there should be some record from time to time of where the children are who have been committed to a person other than the parent; because although the parent may have behaved ill, we will say, two, or three, or four years before, nevertheless I am quite sure it would not be desired that the parent should be forbidden, if there were no objection to it, to have access to his child, to know something about its welfare, and where it was. Therefore, it would seem very reasonable that there should be, for example, such a rule as this: that at certain intervals (I do not want too make them too short) a Report should be made of the whereabouts of the child, so that if the parent desires to see the child or to have access to it, he may be able in some way or other to learn where the child is. I merely give that as an example; but I would point out that the whole thing is left to the Secretary of State; there is no compulsion upon him to make rules, it is a power given, and not an obligation upon him, and I have no doubt he will exercise it with care and discretion.

VISCOUNT CRANBROOK: Perhaps if my noble and learned Friend would put in the words "may if he shall think fit," it would show that the matter was left to his discretion, and that might satisfy my noble Friend.

LORD HERSCHELL: I have no objection to it, although I still do not see that it is necessary.

Amendment, by leave, withdrawn.

Amendment proposed, in line 27, after the word "may," to insert the words "if he shall think fit," agreed to.

Clause, as amended, agreed to.

Clause 5.

THE EARL OF MILLTOWN: This is a clause to which I beg to call attention for a few moments. It refers to a matter which will, I am certain, give rise to considerable dissatisfaction amongst the working classes, and the poorer people of this country. It provides that any Justice of the Peace, on information made before him by any person—that is, any busybody who may take up a case of this kind—

"Who in the opinion of the Justice is *bona fide* acting in the interest of any child, that there is reasonable cause to suspect that such a child, being a boy under the age of 14 years, or a girl under the age of 16 years, has been or is being ill-treated or neglected in any place within the jurisdiction of such Justice"

(the word "neglected," as I said just now with regard to another clause, is not

one of very clear application and meaning, it might mean any kind of neglect which this person should think prejudicial to the health of the child)—

"such Justice may issue a warrant authorising any person named therein"

(that might be the busybody in question)

"to search for such child, and if it is found to have been or to be illtreated or neglected in manner aforesaid to take it to and detain it in a place of safety."

Now, my Lords, all Justices are, unhappily, not persons of sound discretion; yet a man who is an enthusiast may go to any one Justice and get power to search any home for a child; and, if he finds him, he may carry him off forcibly from his parents in order to place him in what he calls a place of safety. But that is not all. By the 3rd sub-section there is a provision that—

"Any person authorised by warrant under this section to search for any child may enter if need be by force any house, building, or other place specified in the warrant, and may remove the child therefrom,"

that is to say, that this person who succeeds in getting round any Justice of the Peace may break into any working man's house, or one of your Lordships' houses, if it comes to that, at any hour of the day or the night, and wake a man up in the middle of the night, and may take, as it were, by force of arms, any child who may, in his judgment, be neglected or ill-treated. That seems to be a most startling power to give to any Justice; and I should have proposed to have omitted the clause altogether, but it has been suggested to me that there are certain cases of cruelty which go on here and there throughout the country, which could not be detected without some such clause as this. Therefore, I have not proposed to omit it altogether, although I still think perhaps that would be the wisest course to take; but I venture to suggest to your Lordships that the power should not be given to one Justice but to two Justices, or to a Stipendiary Magistrate. The clause, as it stands, has been copied word for word from a very ill-considered, and, as I think, mischievous measure called the Criminal Law Amendment Act, which has already caused a great deal of mischief, and perhaps will cause more; but it was passed, as your Lordships may remember, in a panic, or something approaching to it, and was not very well considered. Therefore, I shall presently propose to limit the time at which a search warrant can be executed to the hours between 6 in the morning and 9 at night, which are the hours, as your Lordships know, which distinguish burglary from housebreaking.

Amendment moved, in page 2, line 3, after the word "Justice," to insert the words "or Justices."—(*The Earl of Milltown*).

LORD HERSCHELL: If this Amendment were adopted, I think it would go far to defeat the object of the clause, because it is not always easy to get two Justices together on an emergency. Very often it becomes known that a child is being ill-treated, and perhaps dangerously ill-treated, and unless there can be immediate action that child may be sacrificed. Therefore, to require, as this Amendment proposes, a resort to two Justices would often render it impossible to put the provision in operation until it was really too late to effect the desired purpose. My noble Friend has quite truly said that a similar clause to this was inserted in the Criminal Law Amendment Act of 1885. Whatever complaints may have been made of certain provisions in that Act, and there have been some, there has been no complaint that I am aware of of this particular provision, which has been in operation now for nearly four years. It it were applicable in the cases covered by that Act, it seems to me to be equally applicable in the present case; and the power is not only not more liable, but I should think less liable to abuse under this Bill than under the Act to which my noble Friend referred. If the noble Lord could have shown that complaint had been made of that particular clause, or that there had been abuse of it, he would have made out a strong case against inserting it in another Act of Parliament, but, failing that, my only desire being really to make this effective, and to protect the unfortunate children, I feel myself obliged to resist the Amendment.

*THE LORD CHANCELLOR: I would suggest to my noble and learned Friend that it would perhaps effect his purpose, and I should think would satisfy the noble Earl behind me if that, which he

has given as a reason of his somewhat exceptional power, should be made part of the provision itself—namely, that the Magistrate should only issue such an Order upon his being satisfied upon oath that the case was one of emergency. My noble and learned Friend will observe that although no doubt that is the leading idea thoroughout the clause, it is not confined to it; and I think if he would make it a condition precedent to the operation of this clause that the Magistrates should judicially determine that the case was one of emergency calling for this extreme and unusual remedy, a great part of my noble Friend's objection would be got rid of.

THE EARL OF MILLTOWN: If that satisfies my noble and learned Friend, of course I can hardly venture to press my objection, but I still think that this power is a most objectionable one. I would like to ask this question: What remedy would a man have if his house is broken into at any hour of the day or the night because somebody has succeeded in persuading some philanthropic Magistrate that there is a child in that house under ill-treatment? How is he to recover damages? This clause even as modified is of such a character that if one case of malfeasance occurs under it, it would become a dead letter. My noble and learned Friend challenged me to find a case where this particular clause in the Criminal Law Amendment Act had produced abuse. I am not aware that there is any, and probably it has never been put in force; but I would point out that it is much less likely that error should occur in the detection of the crimes covered by that Act than in the detection of crimes which this Bill deals with, such as, for instance, the question where a child is or is not neglected in a particular house. I confess I would prefer to leave the matter to two Justices. The noble and learned Lord himself just now objected to one Justice of the Peace having jurisdiction; and I do not see why the same objection should not apply now. I do hope that my noble and learned Friend will accept my very simple Amendment. With regard to the question of Stipendiary Magistrate, I may say that this is a matter which would generally occur in large and populated districts where there is always a Stipendiary Magistrate available.

LORD HERSCHELL: I should have no objection to having two Justices or a Stipendiary, provided that, in case of emergency, it may be done by one Justice. I would agree to that as a compromise. That would point, of course, to its being held to be a case of emergency.

VISCOUNT CRANBROOK: Perhaps my noble and learned Friend would, upon the Report, introduce what he considers the proper wording. I may mention to him with a view to consideration on Report, also, that there are very extraordinary powers in this sub-section. Power is given, unless the Justice otherwise directs, that the person who makes the charge should be a party to the seizure, and be entitled to go into the house. That might be the means of introducing very objectionable people into a house, who could not go there in any other way. I think it is a thing which ought not to be left to any person. Let the Justice direct who shall go if he pleases; but I think it would be undesirable to allow any person who so desired to enter the house of his own free-will. I think it is a very formidable thing to have unknown persons admitted to other people's houses.

Amendment by leave, withdrawn, Clause agreed to.

Amendment proposed in page 4, line 37, after the word "health" to insert the words "or is residing with common or reputed prostitutes or reputed thieves."—(*The Lord Stanley of Alderley.*)

LORD HERSCHELL: This would be introducing a new head altogether into this Bill, which deals with the neglect of children and not with the question of morality. There are provisions already in other statutes dealing with the consorting of children with prostitutes, and I do not think it would be desirable to embody such a provision in this Bill, which does not really deal with that question at all.

Amendment, by leave, withdrawn.

THE EARL OF MILLTOWN: My Lords, Sub-section 3 empowers any person authorised by warrant to search for any child, to enter by force any

house specified in the warrant and to remove the child therefrom. I cannot imagine anything likely to cause greater dissatisfaction, and just dissatisfaction, than such a power as this. It is surely a reasonable thing to say that this power shall only be exercised in daylight. It is a very strong thing to allow it to be done then; but to allow a house to be searched in order to see whether a child is there, and to ascertain if it is ill-treated, at any hour of the night, is really a most extraordinary proposition. I hope my noble and learned Friend will accept the very moderate limitation which I propose.

Amendment proposed, in page 2, line 8, after the word "enter" to insert the words, "at any time between six o'clock in the morning and nine o'clock at night."—(*The Earl of Milltown.*)

LORD HERSCHELL: My only reason for objecting is that I think there are cases in which this limitation would defeat the objects in view. If it is right for such purposes as this to enter between six in the morning and nine at night, I cannot see any magic that makes it wrong to enter at any hour. Those are the hours no doubt fixed with reference to the distinction between burglary and housebreaking; but is there any reason for such a limitation in the matter with which we are now dealing? When my noble Friend says that this is a provision which would be hateful, and strongly objected to by the people of this country, I must remind him that this particular clause comes to us in a Bill in its present form from those who are the representatives of this country other than those who are in the House of Peers. They are jealous of the rights of those whom they represent, and are likely to attend to anything that they think would seriously affect them. They represent the people who would be subjected to these provisions, and they, as their representatives, considered that it was worth while to yield up a portion of the rights of the community in that respect for the sake of securing a considerable and important end; and if they have been willing to do that, I do not see that your Lordships would do well to stand in the way.

THE EARL OF MILLTOWN: I really do not at all admit the doctrine that the House of Commons are the only representatives of the people. Your Lordships are, in many respects, far better representatives of the people. I should think it extremely doubtful whether anyone's attention in the House of Commons was called even to this particular point. If the noble and learned Lord's faith in the House of Commons is so profound, how is it that he has himself put sheet after sheet of Amendments into this Bill? The Bill is extremely ill-drafted; and if it were not for the corrections which your Lordships have put into it, the time of Her Majesty's Judges would have been entirely taken up by endeavouring to find out the meaning of the Bill.

Amendment, by leave of the House, withdrawn.

LORD HERSCHELL: I will bear in mind what the noble Viscount has said about the 4th Sub-section. It might be that one ought to turn the provision round and enable the person to be present if the Justice of the Peace so directs. The Amendment I now have to propose is to leave out the words "legally qualified," in order to insert the word "registered."

Amendment moved, in Sub-Section 4, line 6, to leave out the words "legally qualified," and insert the words "registered."—(*The Lord Herschell.*)

*THE EARL OF POWIS: I would take this opportunity of asking the noble and learned Lord how he would make provision for the medical practitioner being properly paid, and what authority should fix the proper remuneration. In the case of a medical practitioner attending at an inquest, the Coroners' Act lays down the remuneration which he is to receive; he gets his guinea for attendance, and he gets his two guineas if he has a *post mortem* examination. It would be very undesirable to leave it at the mercy of the medical man to fix his own fee, and to make whatever charge he pleased.

LORD HERSCHELL: My impression is that there will be no power to remunerate the medical men out of the public funds. There is no such provision here, but there are cases where the person making the information himself obtains the services of a medical

man, and it is a matter of arrangement with him what is the fee which the medical man shall receive. It would be necessary to fix the fee if it were a charge upon the public funds, but that is not the case here. I do not see that there is power given to the Justice of the Peace to insist upon any medical man being present; it is only to enable the Justice to allow the person to be accompanied by a medical practitioner; it does not enable the Justice to order a medical practitioner to attend.

Amendment agreed to.

Clause as amended, agreed to.

Clause 6.

LORD HERSCHELL: This is a clause which raises a question of very considerable difficulty which has weighed upon my mind a good deal. It enables in the first instance the accused person to give evidence. As to that I do not think there is likely to be any difference of opinion, but it goes further, and it makes the husband or wife not merely competent to give evidence, but compellable to give evidence. Undoubtedly, that is a very great innovation, and one which under circumstances which I can conceive might give rise to a considerable amount of feeling. The object of inserting it is one with which I entirely agree. There are many wives who would feel it their duty to give evidence if summoned to do so for the protection of their children (and the same may be said, perhaps, of husbands too) who do not like to appear to volunteer. They would attend if summoned to attend as witnesses, but they do not like to offer themselves when they are not summoned. It affords a kind of protection which it is natural they should desire and which it is right, I think, to extend to them. But it, of course, covers the case of a witness, a wife we will suppose, attending unwillingly, and when asked questions which will incriminate her husband refusing to answer, and as the clause stands the Judge would have no alternative if the witness so refuses to answer but to send her to prison, and I think that, if such a case arises as a wife refusing to testify against her husband and being sent to prison in consequence of that act, there would be likely to be a very considerable sensation excited, and I think it is not at all unlikely that the provision would be condemned. I have, therefore, sought to hit upon a middle course, one which will give all the protection which is desired, which will prevent the appearance of volunteering evidence on the part of the wife or husband, and at the same time prevent such an occurrence as I have just described. What I propose is this, that the clause be amended by providing (I will put the exact form of the Amendment in a moment) that the wife or husband of such a person shall be competent, and may be required to attend to give evidence as an ordinary witness in the case, but shall not be deemed to be in contempt for refusing to answer a question tending to incriminate the accused person. That enables either a wife or a husband to be heard as an ordinary witness; but at the same time if he or she is unwilling to answer questions incriminating the accused person the Judge would not be under the obligation of sending the witness to prison. It seems to me that that is a middle course which is likely to secure all the advantages that the clause would have secured, without at the same time those disadvantages which might have brought discredit upon it.

Amendment moved to leave out the word "compellable" in order to insert the words "may be required to attend," and at the end of the clause to add the words—

"But shall not be deemed to be in contempt for refusing to answer a question tending to incriminate the accused person."

*THE LORD CHANCELLOR: I cannot help thinking that this is a somewhat circuitous mode of meeting the case. Would it not be better at line 21 to strike out the word "and," and to insert the words "but not?"

LORD HERSCHELL: I will explain why I did not do that. I want to insert the words "may be required to attend as an ordinary witness." That is, that a husband or wife may be summoned by the Court—that is really what is required for their protection. All I do is this: if in any case the witness says, "I will not answer that question because it will incriminate my husband," or "my wife," then I protect the witness from the ordinary consequences of refusing to answer questions.

*THE LORD CHANCELLOR: That would amount to this, that you would force the husband or wife into the witness box, and enforce upon them the duty of giving what may be the most cogent evidence, perhaps, against the incriminated person by declining to answer a question. I object to that sort of indirect admission of the husband or wife which you would force from their lips.

LORD HERSCHELL: Then I should propose to leave the clause as it is.

THE EARL OF MILLTOWN: The object is to make the evidence of the husband or wife evidence for the defence, but not for the prosecution. It seems to me that if it should be evidence at all it should be evidence on either side. There are many cases of cruelty to children especially of which the wife is the only witness, and the husband continually escapes because she cannot be called. If you are going to do away with that anomaly, very well; but do it thoroughly, and enable the case to be proved by the only witness possible.

LORD HERSCHELL: My provision would do that.

*THE LORD CHANCELLOR: It will satisfy me if my noble and learned Friend will consider this matter on Report. I myself should prefer the words "but not" substituted for the word "and."

LORD HERSCHELL: Then we will leave the clause as it is till the Report Stage.

Clause 6 agreed to.

Clause 7.

LORD HERSCHELL: When this clause was before the Standing Committee containing a provision which appeared in it, rendering a child who was examined in pursuance of the provisions of this clause liable to the penalties of perjury, but limiting the punishment to two years' imprisonment, it was felt by many that, considering that we were dealing with the case of a child, of tender years, there was something revolting in an express provision that such a child might be sentenced to two years' imprisonment; at the same time, my noble and learned Friend the Lord Chancellor said, and I confess I shared his view, that it would not do to say that a child examined under this clause should not be liable to be indicted for the offence of giving false evidence, because sometimes that might be the only way in which a person whose character had been affected by the child's evidence would be able to clear it. I feel myself, also, that it would be making a strange distinction to say that the child who could understand the nature of an oath and who told a falsehood should be liable to punishment, whilst a child who did not understand the nature of an oath, but knew that it ought to tell the truth and did not tell the truth, should be liable to no punishment. The result would be certainly to put a premium on the absence of theological knowledge, which seems to me indefencible in principle. But in order to meet the various views that were expressed in the Committee, I propose to add as Sub-section (b) at the bottom of page 5 these words—

"Any such child whose evidence is received as aforesaid, and who shall wilfully give false evidence, shall be liable to be indicted and tried for such offence, and on conviction thereof may be adjudged such punishment as is provided for by Section 11 of the Summary Jurisdiction Act, 1879, in the case of juvenile offenders."

On Question, "That those words be inserted as a new Sub-section (b.); agreed to.

Clause 7, as amended, agreed to.

Clause 8 agreed to.

Clause 9.

*THE LORD CHANCELLOR: I would point out to my noble and learned Friend that here again the words "Court of Summary Jurisdiction" occur.

Clause agreed to.

Clause 10.

*LORD WATSON: This clause is quite inapplicable to Scotch procedure.

LORD HERSCHELL: There is an Amendment on the Paper to provide that Clauses 7 and 10 shall not apply to Scotland. I propse to assent to that.

Clause agreed to.

Clauses 11, 12, 13, and 14 agreed to.

Clause 15.

Amendment moved, that the following Clause be inserted after Clause 14:—"That Section 7 and Section 10 of this Act shall not apply to Scotland."—(*The Lord Stanley of Alderley.*)

Amendment agreed to.

*LORD STANLEY OF ALDERLEY: On this clause I wish to move an Amendment as to child life insurance. Clause 1 touches upon the question of insurance, but only where there has been proceeding by indictment and a conviction. The Registrar General, or some other equally high authority on statistics, has spoken more than once of the great infant mortality owing to insurance, and the number of children that die on account of over-insurance is so great that in a Bill of this kind for the protection of children I think the clause proposed would not be out of place.

Amendment proposed,

"After the passing of this Act, it shall not be competent to insure the life of a child so that on its death occurring before it is 10 years of age any money shall become payable in the policy, without prejudice, however, to any insurance to the effect of providing decent and proper burial for such child."—(*The Lord Stanley of Alderley.*)

LORD HERSCHELL: This Amendment, no doubt, raises an important question, but I think it is too large a question to be dealt with by a provision in this Bill—namely, the question of the insurance of infant life. I do not feel satisfied that if the matter were dealt with at all it ought to be dealt with upon the basis of prohibiting insurance under 10 years of age. For such a purpose I do not see why 10 years should be taken as the limit; but beyond that, the clause provides merely that it shall not be competent to insure the life of a child in the event of its death occurring before it is 10 years of age. I apprehend that at the present time a policy on the life of a child is void as much as the policy on the life of anyone else unless the person insuring is interested in the life—that is to say, no person can insure the life of another unless he is interested in that life. I have no doubt insurances are effected every day which would be void if those who insured the life chose to take the objection, but the truth is they do not take the objection—they find the business of insuring a profitable one, and its profits, of course, would entirely cease of they were to repudiate the insurance by refusing to complete their contracts on the ground that their contracts were void. Therefore, in saying that it shall not be competent to insure the life of a child under 10, unless you provide some machinery' something going beyond the present law, which really makes an insurance where there is no interest a void insurance, you will effect nothing at all. It is not competent in a sense at the present time, inasmuch as the liability could not be enforced unless an interest in the life could be proved. Therefore, to say that it shall not be competent would be absolutely ineffectual. If you are to deal with this matter at all, it must be dealt with in the way of making it absolutely penal on those who take part in it. That is the only possible way to secure it. Then I think it can, and ought, only to be made penal in cases where there is not an interest which justifies the insurance and not where the insurance does not exceed that interest. There are cases where it is very proper to insure an infant's life. It is done constantly without any impropriety in the cases of settlements and leases for life and in various other cases. Those who have any experience of the business of insurance offices know that the insurance of infant lives in that way is a perfectly legitimate and necessary thing. The abuse consists in the insuring of lives where those who insure have no interest which justifies the insurance. To insure a life in the proper sense is to insure from loss by reason of the death where you are insuring the life of another person. That is the only proper object of insurance. In order, therefore, to deal effectually with this evil, you must first of all limit your prohibition to the cases where insurances ought not to be effected, and then, having limited your prohibition in that way, you must make it effectual by proper penalties. Under these circumstances, strongly as I feel the importance of the question raised by this Amendment, it seems to me that it lacks altogether the machinery which would be necessary to give effect to its intention.

*THE LORD CHANCELLOR: I have already expressed an opinion upon this subject, and I must say I entirely agree with my noble and learned Friend that this is an improper way of dealing with it. I believ it is a very important subject, and will have to be considered. As my noble Friend knows, everybody is supposed to have an insurable interest in his own life, and I believe the mode

in which these things are done is that the infant is supposed to insure its own life, and then those who represent it obtain by inheritance or representation that which belongs to the child. Therefore, the objection to its being void by reason of the absence of insurable interest would not apply. But I quite agree there is no machinery here applicable to it, or I should myself have taken charge of an Amendment having the same object. I believe it is a subject which must be hereafter dealt with in a complete way, and that it is one which cannot be dealt with in a fragmentary manner, as it would be if it were endeavoured to be grafted upon a Bill of this kind.

Amendment, by leave of the House, withdrawn.

*LORD STANLEY OF ALDERLEY withdrew the remainder of his Amendment.

LORD WATSON: There is one Amendment of which the noble Lord had given notice, which seemed to be necessary in order to make Clause 15 complete, as in one part of Scotland, if not in others, there will be no Local Authority. The Amendment is on page 8, line 18; after the word "Council," to insert the words "as regards any police burgh in Scotland, the Commissioners of Police thereof."

THE MARQUESS OF LOTHIAN: I altogether differ from my noble Friend and cannot accept his proposal, which would lead to great confusion. The police burghs in Scotland would be independent of the Council for this purpose only. The Amendment which I introduced in the Standing Committee was to the effect that after the passing of the Local Government Bill all the powers which are now in the Commissioners of Supply, or in the police burghs would be transferred to the County Council, and after the passing of that Bill there would inevitably be confusion if this Amendment were carried.

LORD WATSON: These two Acts will run very nearly parallel. I should fancy it depends on who first obtains the Royal Assent. There is no reference in this clause to the supersession of the powers of the Commissioners of Supply by the County Council.

THE MARQUESS OF LOTHIAN: But by the Local Government Bill the powers of the Police Commissioners would be entirely superseded.

LORD HERSCHELL: The Local Government Bill does not come into operation until next year, so that there would be a certain hiatus which ought to be covered in some way.

THE MARQUESS OF LOTHIAN: On Report I will introduce some words to meet the case. Perhaps these words would do, "until the Local Government (Scotland) Act comes into existence."

LORD HERSCHELL: It will probably be better to put in these words now, and we can amend them on Report if they are not satisfactory.

Amendment agreed to.

Clause, as amended, agreed to.

Clause 17.

Amendment moved, in page 8, line 20, after the word "the," to insert the words "prevention of cruelty to and,"—(*The Earl of Aberdeen.*)

THE EARL OF ABERDEEN: I may mention that the noble Lord who first proposed an alteration in the title has authorised me to say that he is quite in favour of the new form which I propose, and as I think my noble and learned Friend who has charge of the Bill is also in favour of it, I shall not trouble your Lordships with any remark. The Amendment is for the purpose of bringing out the twofold aspect of the Bill and meeting some of the objections which have been raised with regard to the nomenclature.

LORD HERSCHELL: Originally this was called the "Prevention of Cruelty to Children" Bill. Then objection was taken to that title on the ground that it covered matters which were not properly within that description. Then it was changed to the "Protection to Children" Bill. Then I have learnt that some of those who are interested in this measure think that it will not be so effectual if it does not keep also the title of Prevention of Cruelty. There seems to be no objection to give it a title which covers both.

Amendment agreed to.

Amendment proposed, in page 1, in the title, after the word "the," to insert the words "Prevention of Cruelty to and,"—(*The Earl of Aberdeen*),—agreed to.

Bill reported.

The Report of the Amendments to be received on Thursday next, and Bill to be printed as now amended (No. 211.)

JUDICIAL FACTORS (SCOTLAND) BILL (No. 202.)

SECOND READING.

Order of the Day for the Second Reading read.

The Marquess of LOTHIAN: This is mainly a technical Bill providing for the re-arrangement of the position of two officers in Scotland, one of whom is called the Accountant of the Court of Sessions, and the other the Accountant in Bankruptcy. There are two main objects of the Bill. One is to consolidate the supervision of bankrupt estates, and other estates in the hands of the Scotch Courts, and the other is to subject to this supervision all estates without exception where an officer of the Court is an Administrator. The Bill is purely technical in its character, it has been considered by the most prominent legal bodies in Scotland, and many valuable suggestions which have been made by them have been incorporated into the Bill. I think I need not further explain to your Lordships the object of the Bill which I now move be read a second time.

Bill read 2ª (according to order), and committed to the Standing Committee on Law, &c.

SETTLED LAND ACTS AMENDMENT BILL (No. 203.)

House in Committee (according to order); Bill reported without Amendment; and to be read 3ª on Thursday next.

PRINCE OF WALES'S CHILDREN BILL.

Brought from the Commons; read 1ª; to be printed; and to be read 2a to-morrow—(*The Marquess of Salisbury*). (No. 212.)

COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Report from, That the Committee have added the Lord Ker (*M Lothian*) to the Standing Committee for Bills relating to Law, &c., for the consideration of the Judicial Factors (Scotland) Bill; read, and ordered to lie on the Table.

House adjourned at half-past Seven o'clock, till To-morrow, a quarter past Four o'clock.

HOUSE OF COMMONS,

Monday, 5th August, 1889.

QUESTIONS.

SCHOOL ACCOMMODATION.

Mr. STANLEY LEIGHTON (Shropshire, Oswestry): I beg to ask the Vice President of the Committee of Council on Education whether his attention has been called to the statement, contained in the correspondence between the managers of the Luton National School and the Education Department, to the effect that Her Majesty's Inspector adopted "the 10 square feet per child basis" in calculating the accommodation now provided in the Luton National Boys' School, and to the fact that such basis has been approved by the Department; and, whether, having regard to Article 96 and Note of the Code, which directs that "8 square feet of internal area for each unit of average attendance" shall be the basis adopted, and having regard to the principle hitherto acted upon by the Department that voluntary schools shall not be touched by the 10 square feet basis, and that in case of schools which have been passed by the Department for a certain number of children the arrangement shall not be disturbed, he will say what the Department hold to be the future basis to be used in reckoning the amount of accommodation in voluntary schools.

*The VICE PRESIDENT of the COUNCIL (Sir W. Hart Dyke, Kent, Dartford): My attention has been called to this statement. There is no interference with voluntary schools as to space, so far as the Code and the grant are concerned. The rule laid down in the Luton case is the same which has been acted upon since the passing of the Act of 1870—namely, that a School

Board may calculate the deficiency in school places on the assumption that 10 square feet is a reasonable allowance for each child.

MR. S. LEIGHTON: I beg to give notice that on the Education Estimates I will call attention to this new departure in treating the voluntary schools upon a different footing to the Board Schools.

IRELAND—DRAPERS' COMPANY'S ESTATES.

SIR GEORGE TREVELYAN (Glasgow, Bridgeton): I beg to ask the Solicitor General for Ireland, with reference to Mr. Commissioner Lynch's remarks on certain preceedings connected with the Drapers' Company's estates in Ireland, made on the 26th July and 1st August, whether the Government intend to take criminal proceedings for the purpose of protecting the Exchequer against injury from irregular and improper action in connection with the Land Purchase Act; and whether the conduct of the Justice of the Peace who passed the agreement has been brought before the notice of the Lord Chancellor?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): The Land Commissioners Report that there is a Motion listed before Mr. Commissioner Lynch for to-day on behalf of the Messrs. Glover, solicitors, to rescind the Order made against them, and that, pending the hearing of that Motion, it would be premature to offer any opinion as to what further steps, if any, should be taken in the matter. Mr. Commissioner Lynch has transmitted the Papers to the Lord Chancellor having regard to the manner in which two affidavits were sworn before a Justice of the Peace.

THE ROYAL ARTILLERY AND ROYAL ENGINEERS.

MR. BRADLAUGH (Northampton): I beg to ask the Secretary of State for War whether his attention has been drawn to complaints that a restrictive limit of compensation was withheld from the knowledge of Officers of the Royal Artillery and Royal Engineers when they were invited to retire under the Royal Warrants of 1881 and 1884; whether the principle of actuarial calculation has been applied to all cases of Regimental full Colonels of the Royal Artillery and Royal Engineers, and also to the cases of Lieutenant Colonels, Royal Engineers, subsequent to that of Lieutenant Colonel E. M. Lloyd; whether a Treasury Minute, or a Departmental Ruling, of September, 1882, has been applied to the cases of those Lieutenant Colonels, Royal Engineers, who retired under the above Warrant, from Lieutenant Colonel E. R. James to the case of Lieutenant F. B. Mainguy, thereby reducing their life annuities for loss sustained under Warrants of a later date than 1872, to £150 a year, instead of granting them the compensation they were entitled to on actuarial calculations, as stipulated by the Warrant; and, whether he will lay such Minute or Ruling upon the Table?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I am afraid that I cannot give the hon. Gentleman the information he desires upon this particular point.

IMPORTATION OF SHEEP AND CATTLE.

SIR EDWARD BIRKBECK (Norfolk, E.): I beg to ask the Vice Chamberlain whether the increased imports of mutton into this country since the stoppage of the German sheep are much greater than any loss due to the discontinuance of live sheep from that country; whether it is a fact that, while 176,000 fewer sheep have been landed in England in the first six months of 1889 than in those of 1888, the receipts of fresh mutton have been greater by 135,000 cwt. or, roughly, the equivalent in mutton of 270,000 sheep; and, whether, considering that the entire import of cattle from Schleswig-Holstein has ranged from 8,000 to 15,000 head annually, any loss to our meat supplies from the non-importation of cattle from that country this summer is far more than made up by the fact that the live imports of cattle generally in the first half of 1889 have exceeded those of 1888 by over 30,000 head?

MR. BEAUFOY (Lambeth, Kennington): I wish also to ask whether, taking into consideration the hardship inflicted on the working classes in London by the present high price of meat, especially of mutton and lamb, he will consider the desirability of removing the present restriction on the importation of

cattle and sheep from the Duchies of Schleswig-Holstein?

THE VICE CHAMBERLAIN (Viscount LEWISHAM, Lewisham): Since the discontinuance of the imports of live sheep from Germany it is true that the receipts of fresh mutton have largely increased. It is also the case that though sheep "on the hoof" from Germany have been and are prohibited, the imports of fresh mutton from that country have been largely augmented, so that nearly an equivalent of live sheep has been received as fresh mutton. The receipts of live sheep into the United Kingdom from all foreign countries were in the six months ended June 30, 1889, 174,975 less than in the corresponding period of last year and 234,871 less than in 1887. On the other hand, the imports of fresh mutton were in the same periods 135,034 cwt. in excess of 1888 and 265,346 cwt. over 1887. The receipts of cattle from all foreign countries and British possessions were in the six months of 1889 233,442, as compared with 181,317 in 1888, and 132,585 in 1887; while of fresh beef the quantity was 622,370 cwt. in the six months of this year, against 409,358 cwt. in 1888 and but 337,556 cwt. in 1887. The present high prices of mutton and lamb are due to the better state of trade generally, and consequent greater spending power of the consuming classes, and not to any diminished receipt of foreign meat, since the figures given show that the receipts of meat of foreign origin have been far in excess of those in previous years. According to the latest Returns received from the German Government, foot-and-mouth disease existed in Schleswig-Holstein up to July 16.

CAB-OWNERS AND THE EXCISE LICENCE.

MR. JAMES ROWLANDS (Finsbury, E.): I beg to ask the Secretary of State for the Home Department whether he has been able to make arrangements with the Board of Inland Revenue, which will afford any alleviation to cab-owners in respect to the Excise Licence?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I have been in communication with the Board of Inland Revenue, and they inform me that the present practice under the existing law could not be altered, and that any change in the law would present some practical difficulties. Hackney carriage licences are on the same footing as the other establishment licences (ordinary carriages, servants, and armorial bearings) and the dog licences.

MR. J. ROWLANDS: Upon the 3rd of June the right hon. Gentleman held out some hope that an arrangement might be come to between the Home Office and the Board of Inland Revenue. Does he see any chance of that arrangement being arrived at?

MR. MATTHEWS: I stated that I would communicate with the Board of Inland Revenue in order to see whether anything could be done, and the answer I have given to the question of the hon. Gentleman gives the result of that communication.

THE SHANNON DRAINAGE BILL AND THE IRISH FISHERIES.

MR. O'KEEFFE (Limerick): I beg to ask the Secretary to the Treasury whether he is aware that the Inspectors of Irish Fisheries gave public notice of their intention to hold inquiries at Athlone, Killaloe, and Limerick, as to what effect the works proposed under the Shannon Drainage Bill would have on the Shannon fisheries; that the Board of Works, in a letter dated 9th July ultimo, promised to have one of their engineers present at the inquiry to explain the nature and extent of the proposed works, of which the Shannon Fishery Conservators were left in ignorance; and that on the faith of this promised information a large number of landed and riparian proprietors, conservators, professional gentlemen, and fishermen had come long distances, at great personal inconvenience, to attend the first of these inquiries at Athlone on Wednesday, 31st ultimo; whether the Board of Works were represented at this meeting; and, if not, in face of their summons, to explain absence; whether the meeting proved abortive in the absence of the information which could be supplied only by the Board of Works; and, whether he would direct the Board of Works to give reasonable compensation to the professional gentlemen and other witnesses who attended the inquiry, for personal expenses and loss of time occasioned by a breach of faith on the part of the Board.

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The absence of the Board of Works representative was, I am informed, due to the fact that the date of the inquiry had been altered to the 31st ultimo, and the notification of the alteration miscarried owing to the absence of the Chief Engineer in London on a Parliamentary Committee. The Fishery Commissioners had, however, already been furnished with all plans and available information; and, under these circumstances, I cannot admit any liability on the part of the Board of Works for the expense caused by the adjournment.

IRELAND—PRISON TREATMENT—WHITEWASHED CELLS.

MR. O'KEEFFE: I beg to ask the Solicitor General for Ireland what is the result of his promised inquiry as to the condition of Francis Tully, prisoner in Limerick Gaol for a term of 12 months' imprisonment, and who has been certified by the District Prison Surgeon to be suffering from catarrhal ophthalmia; and if he can state the nature of his offence, by what Magistrate tried, and what period he has been in gaol?

MR. MADDEN: The General Prisons Board inform me that the Medical Officer of the prison reports that the prisoner, Francis Tully, had been treated for slight catarrhal ophthalmia, but that he is now well and his general health good. The prisoner is undergoing sentences of two terms of imprisonment of six months each—one for assaulting a bailiff, the other for resisting and obstructing the Subsheriff. The committing Magistrates were Mr. Hickson, R.M., and Mr. Brady, R.M. He has now been 10 months in prison.

MR. SEXTON (Belfast, W.): Considering the numerous cases which have been brought to the notice of the Government of ophthalmia arising from imprisonment in Irish gaols, have they any objection to order an inquiry to be made in order to ascertain whether whitewashed walls have any injurious effect upon the eyesight?

MR. MADDEN: As questions upon that subject have already been put to my right hon. Friend the Chief Secretary, I think it would be better that the question should be repeated when he is in his place.

THE BAND OF THE DUBLIN WORKMEN'S CLUB.

MR. SEXTON: I beg to ask the Secretary to the Treasury why the Irish Board of Works have refused to permit the band of the Dublin Workmen's Club to play a selection of music in St. Stephen's Green Public Park on Sunday evenings during the present summer?

MR. JACKSON: St. Stephen's Green Park is a square in the city surrounded by private residences, places of public worship, and a hospital. The Board of Works have not felt justified, under the circumstances, in permitting bands to play in it on Sundays.

MR. SEXTON: Is not this a very large square indeed, and cannot some arrangement be made by which the band can be allowed to perform without interfering with the arrangements for divine service? I may remind the hon. and learned Gentleman that the band of the Board of Works is allowed to play in the Phœnix Park.

MR. JACKSON: I shall be glad to make further inquiry, but I think it is hardly fair to compare this square to the Phœnix Park.

EVICTIONS ON LORD CLANRICARDE'S ESTATE.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what particulars he can give of the recent evictions on Lord Clanricarde's estate in the Portumna district; whether any further evictions there are in contemplation; what offers of settlement, if any, were made on the part of the landlord and of the tenants respectively; and, whether he will lay upon the Table a Copy of any Correspondence between any member or officer of the Irish Government and any persons acting in the interest of the landlord, or of the tenants, with respect to this estate?

MR. MADDEN: On behalf of my right hon. Friend I must ask the right hon. Gentleman to postpone the question until to-morrow.

SLAVE TRADE CONFERENCE.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I beg to ask the Under Secretary of State for Foreign Affairs what further steps have been taken to bring about the promised Conference on the Slave Trade?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The Belgian Government have been in communication with the Powers concerned. From the latest information received from Brussels it appears that the Conference cannot assemble before the middle or end of October.

PUBLIC BUSINESS.

MR. PHILIPPS (Lanark, Mid): I wish to ask the First Lord of the Treasury if the Government intend to persevere with the Irish Drainage Bills?

MR. J. ROWLANDS: And is it intended to proceed with the London County Council (Money) Bill?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): It is certainly not intended to stop all the operations of the London County Council, and therefore it is intended to proceed with the London County Council (Money) Bill; but it may not be possible to take it this evening. With regard to the Drainage Bills, I must ask the hon. Member to put the question to my right hon. Friend the Chief Secretary to-morrow.

DR. FARQUHARSON (Aberdeenshire, W.): Will the Committee stage of the Infectious Diseases Notification Bill be taken this evening?

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): No, Sir.

THE DEFEAT OF THE DERVISHES.

COLONEL EYRE (Lincoln, Gainsborough): Has the Secretary of State for War any further news from Sir Francis Grenfell?

*MR. E. STANHOPE: Sir Francis Grenfell telegraphed to me last night that the loss amongst his force was 17 killed, including one English private soldier, and 131 wounded, of whom six were Englishmen. The House will, I am sure, be gratified to find that so stubborn a contest and so complete a success, showing great gallantry on the part of all the troops engaged, has resulted in no greater loss to our force. He adds:—

"I reconnoitred with mounted troops at daylight this morning; found Dervish force completely broken up; cavalry following up the few fighting men that remain. I have now over 1,000 prisoners and wounded Dervishes here, and refugees are coming in fast. Gunboats patrolling. I have sent Wodehouse's column south to Abu Simbel to head retreating Dervishes."

As various questions have been asked in this House with regard to the state of the Dervishes who have fallen into our hands, I think hon. Members may like to hear an extract from a private letter written to me by Sir Francis Grenfell on this subject, dated 22nd ultimo:—

"I think you may be glad to know that all my officers are doing their very best to alleviate distress. All who come in are rationed and well treated. I have sent up five large sailing boats full of food and medical comforts, with a doctor, to pick up and feed starving Dervishes. We have now (July 22) relieved not less than 1,200, and above 400 I have sent straight down to Cairo."

SIR W. LAWSON (Cumberland, Cockermouth): Does General Grenfell state the estimated number of the enemy slain?

*MR. E. STANHOPE: No, Sir; he does not say that in his last Despatch.

SIR W. BARTTELOT (Sussex, Horsham): May I ask my right hon. Friend whether, with the exception of the 20th Hussars, any British troops were employed? It is stated that there were five or six British soldiers wounded.

*MR. E. STANHOPE: Some of the British officers belonged to the Egyptian Army. The 20th Hussars was the only British force engaged. A portion of the force was composed, not of black troops, but of fellaheen.

THE DONEGAL BATTERING RAM.

MR. MAC NEILL (Donegal, S.): On the 16th of April, in reply to a question by the hon. Member for the Holmfirth Division (Mr. H. Wilson), the Chief Secretary stated that the cost of the Donegal battering ram was £48 18s. 3½d. If that cost is charged upon the public, the amount should appear somewhere on the Estimates, and we ought to be able to find out from what public fund it comes. Having regard to the fact that the Constabulary Estimate is to be taken to-morrow, will the Solicitor General for Ireland state where this item is to be found?

MR. MADDEN: I am not responsible; but if the hon. Member will give notice, I will make inquiry.

MR. MAC NEILL: May I, then, ask the Secretary to the Treasury under what head of the Estimates the battering ram is charged?

MR. JACKSON: I am unable to answer the question. The accounts do not come before the Treasury.

MR. MAC NEILL: May I ask you, Sir, to whom I am to apply? I have already asked three Officers of the Crown, without effect.

*MR. SPEAKER: It is certainly not for me to answer that question.

MR. MAC NEILL: Then, on my own responsibility, I will put the question to the fountain of all knowledge, the First Lord of the Treasury.

*MR. W. H. SMITH: Perhaps the hon. Gentleman will give notice of the question.

TRINITY COLLEGE (DUBLIN).

Ordered—

"Return showing the gross and net revenues of the College for the year 1888, the total amount of the incomes of the Provost and of the Senior Fellows, and the total amount of the incomes of the Junior Fellows, the salary attached to each Professional Chair, and whether the Chair is held by a Fellow or not; the number of Undergraduates on the College books on the 31st day of December, 1888, and how many belong to each religious denomination classified as (a) Protestant Episcopalians; (b) Presbyterians; (c) Roman Catholics; and (d) all other denominations."—(*Mr. W. A. Macdonald.*)

POLICE (COST.)

Ordered—

"Address for Return of the Cost of the Police in each of the Boroughs of Great Britain having, according to the Census of 1881, a population of over 100,000 inhabitants, for the year ended the 30th day of September 1888, and in the City of London, the Metropolitan Police District, and the Dublin Metropolitan Police District for the year ended 31st day of March 1889, giving in each case the following items, in Columns numbered as below:—

1. Name of place.
2. Estimated population in 1888.
3. Rateable value.
4. Acreage.
5. Estimated number of inhabited houses.
6. Length of streets, squares, &c., in miles.
7. Strength of Police Force, viz.: (a) Average daily number employed at private cost; (b) Estimated daily number employed in ordinary Police duties, including all detectives, Court duties, &c.
8. Gross total cost of Police, exclusive of amounts charged against loans.
9. Sums received for special services of both (a) and (b) of Column 7, and from the Treasury for the conveyance of prisoners.
10. Sums paid for rent, rates and taxes, and and in erection or purchase of buildings or purchase of ground, exclusive of the amounts charged against loans.
11. Cost of Police, less the two preceding items.
12. Superannuations and gratuities other than those paid out of the Superannuation Fund.
13. Amount of Government Grant towards pay and clothing.
14. Number of Police employed in ordinary Police duties per £10,000 rateable value.
15. Number of population to each officer in Column 7 (b).
16. Number of acres to each officer in Column 7 (b).
17. Number of inhabited houses to each officer in Column 7 (b).
18. Number of miles to each officer in Column 7 (b).
19. Cost of Police in Column 11 per pound rateable value.
20. Cost of Police in Column 11 per inhabitant.
21. Cost of Police in Column 11 per acre.
22. Cost of Police in Column 11 per inhabited house.
23. Cost of Police in Column 11 per mile.
24. Cost of Police in Column 11 per constable employed in ordinary Police duties.
25. Cost of Police in Column 11 per constable employed in ordinary Police duties, less the cost of superannuation deficiency (Column 12).
26. Cost of Police to the Local Rates, being the difference between the amounts in Columns 11 and 13.
27. Cost of Police in Column 26 per pound rateable value.

And, in the case of Dublin only, giving particulars of any local or incidental charge paid over to the Exchequer as an extra receipt beyond the amount of the Police Rate given in Column 26."—(*Mr. Murphy.*)

PUBLIC WORKS LOANS.

On Motion of Mr. Jackson, Bill to grant money for the purpose of certain Local Loans, and for other purposes relating to Local Loans, ordered to be brought in by Mr. Jackson and Mr. Chancellor of the Exchequer.

Bill presented, and read first time. [Bill 365.]

ORDERS OF THE DAY.

PRINCE OF WALES'S CHILDREN BILL.

(No. 358.)

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read a third time."—(*Mr. W. H. Smith.*)

*MR. LABOUCHERE (Northampton): We have now reached the last stage of this Bill, and it is very obvious that it will be carried. We have been unable to make those alterations in Committee which we thought might have, to a certain extent, mitigated the objections to it. Although the reasons we have urged against the Bill have not convinced the House, they have, notwithstanding, remained unanswerable and unanswered. I do not propose to go through those reasons again. Through some accident a Division was not taken on the Second Reading stage, and it is only proper, therefore, that a Division should be taken now, because this is one of those Bills in which it is most desirable to establish no precedent that can be used to the disadvantage of the taxpayers in subsequent years. But there are two misconceptions which have arisen from the speeches of the Chancellor of the Exchequer and the right hon. Member for Denbigh (Mr. G. O. Morgan) that I am anxious to correct. The Chancellor of the Exchequer said that Her Majesty does not possess the means of providing for all her grandchildren in a manner befitting their station and dignity.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I said, as the House would desire.

MR. LABOUCHERE: I, for my part, deny that there is any particular station and dignity enjoyed by the grandchild of the first Magistrate of this country. I consider that a grandchild ought to lapse into the general community. But, apart from this, I absolutely deny the hard statistical, arithmetical fact that Her Majesty has not enough to provide for those of her grandchildren who need provision thereof what the House would deem an amount befitting their station and dignity. It seems to me the Chancellor of the Exchequer was playing upon the word "all." Her Majesty has 33 grandchildren, but some of these grandchildren are the sons and daughters of the children of Her Majesty, who have married the Sovereigns of foreign States or those who will be the Sovereigns of foreign States. These ought to be eliminated, because they do not require to be provided for. We therefore have to deal with 12 grandchildren and no more. When we were in Committee upstairs, a sum was stated which represented the interest-producing investments of Her Majesty. We are not at liberty to mention this sum, but as regards realty, it is unquestionable that Her Majesty's three estates of Osborne, Claremont, and Balmoral would sell for a large sum if cut up into small lots. Of course, I am not claiming that Her Majesty ought to sell them during her lifetime, but there can be no question that if she did so to-morrow, and if she were to add to the amount realised her present personalty, she would have sufficient to make such provision for these 12 grandchildren as would maintain them in what the Chancellor of the Exchequer calls their station and dignity. I estimate that these three estates of Balmoral, Osborne, and Claremont, would realise at least £600,000. I would undertake to find persons who would give more than that for them to-morrow, so that I am in reality undervaluing them. Taking it that double the amount that on an average the younger son of a Duke generally gets would be a befitting state and dignity to the child of a younger child of the Queen, during Her Majesty's life, which I hope will be long preserved, Her Majesty can, if she pleases, give to her younger children the interest that she receives from the investments which it is admitted that she has made, for there is no kind of necessity for her to make further economies, and to put by further sums in order to enable her to give her grandchildren what the Chancellor of the Exchequer thinks that they ought ultimately to have. This leaves untouched the Privy Purse, and the revenues derived from the Duchy of Lancaster. The Duchy of Lancaster produces £38,000 more than at the commencement of her reign, and she has £16,000 from excesses on Classes 2 and 3—which is annually transferred to her private account. She has therefore £54,000 per annum more than was estimated as her private allowance when the Civil List was fixed; and surely out of this she might allow the £36,000 to the Prince of Wales for his children, instead of asking us to vote it out of the Consolidated Fund. I am taking, in these calculations, the figures as they were given to the Committee, but I never yet understood whether they include the legacies received from

the late Prince Consort and from Mr. Nield. When I asked upstairs, I was told we must not pry into the private affairs of the Queen. I never asked the First Lord of the Treasury to give us any figures, but when they were given to me, I thought that I was entitled to ask for some explanation of them in order to ascertain what they did and what they did not include. I do not know even now whether they include these legacies.

*Mr. W. H. SMITH: They do.

*Mr. LABOUCHERE: The right hon. Gentleman says they do. The second misconception to which I would refer arose from the statement of my right hon. Friend the Member for Denbighshire, who said that the Queen cannot be expected to discharge her old servants. Now, there never was a question of discharging old servants. I do not know what my right hon. Friend means by "old servants." The servants I had in my mind cannot be called old servants. They are the political gentlemen who go out with one Ministry and come in with another. They cannot in any sense be called old servants of Her Majesty. They are nominally appointed by Her Majesty, but they are practically appointed by the the Minister of the day for the services they have rendered to their Party.

*Mr. G. O. MORGAN (Denbighshire): May I explain? What I said was that it would be rather hard to call upon Her Majesty, at her present age, to revise her whole establishment, with the necessary result of turning away old servants.

*Mr. LABOUCHERE: It would not be necessary to ask Her Majesty to revise her whole establishment, because the gentlemen in question are not permanently on Her Majesty's establishment. They are Peers and others who want to get a good thing, and do get a good thing, whenever a change of Ministry occurs. The Chancellor of the Exchequer said that, in the autumn of her life, Her Majesty ought not to be called upon to make changes which is tantamount to what my right hon. Friend said just now. Does the right hon. Member for Denbighshire know that last year certain gentlemen, amongst others the Chancellor of the Exchequer, Sir R. Welby, Earl Sydney, and Sir H. Ponsonby, actually met to see whether any economical changes could be effected? It is perfectly obvious those gentlemen did not meet in opposition to the desire of Her Majesty. On the contrary, they undoubtedly met together by the express desire of Her Majesty to see whether her establishment could be revised. I do not think I am wrong in saying that the question of the Buckhounds was gone into, and the suggestion was made that money might be saved by putting an end to that silly and foolish absurdity. The Buckhounds cost, I suppose, about £12,000 a year.

*Mr. W. H. SMITH: No.

*Mr. LABOUCHERE: I say yes: but call it £10,000.

*Mr. W. H. SMITH: No.

*Mr. LABOUCHERE: Then call it £6,000 if you like. The right hon. Gentleman is more of a Nimrod than I am and possibly knows more about these matters than I do, but the right hon. Gentlemen will hardly contend that the honour and dignity of the Crown is involved in having a number of tame dogs to run after a tame stag to the ridicule of all true sportsmen, and in giving a Peer £1,700 per annum to gallop after these animals. No member of the Royal Family ever thinks of going out with them. It was, I believe, suggested by this Committee that many honorary officials should be got rid of. But the very suggestion caused a flutter in the dovecote, and I believe that Lord Salisbury himself, as the provider of booty for the gentlemen I have alluded to, objected to have the the amount of the booty at his disposal diminished. Therefore it is clear that in making the suggestion for economies in Her Majesty's establishment, I was only supporting the action of Her Majesty. In conclusion I wish to record my protest against the idea that the Radical Party has devoted an undue amount of time to the discussion of the Royal Grants. It must be remembered that in this matter we are giving Grants to the third generation. I fully admit that we have no right to alter the total of the Civil List granted to Her Majesty at the commencement of her reign. But when we are asked to add to it, it is well to point out that the public are sick and tired of all the nonsense and tomfoolery involved in the

Civil List. It is said that we should compare its amount with that of Russia or Germany, but this would be an improper comparison, because, although, theoretically, a Monarchy, this country is practically a Republic with a hereditary President at the head of it. The fairer thing would be to compare it with the expenditure of the President of the United States, or of President Carnot in France. For my part I think that in future the Duchies of Cornwall and Lancaster ought to provide for the Sovereign and the Sovereign's Family, amounting as the Revenues of those Duchies do to something like £110,000 a year. My main objection to the course we are taking is that we are prejudicing the question of the Civil List of the next reign. I also protest against the idea that in this opposition to the Royal Grants there is any insidious design against the Monarchy, as has been asserted by the President of the Board of Trade and others, or that there is any discourtesy to the Queen. I have had no idea of anything in the nature of discourtesy. While I do not think that I am open to the charge of being desirous to curry favour with Royalty by lip-service in this House, I repeat that I admire and respect Her Majesty personally on account of her conduct as a woman and her conduct as a Constitutional Sovereign, and that the last thing that I should dream of would be any discourtesy towards her. I believe that in opposing these Grants I am only fulfilling my duty to my constituents, and that I am acting in the best interests, not only of the people, but also of the Sovereign. In conclusion I beg to move that the Bill be read a third time on this day three months.

MR. STOREY (Sunderland) seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the question to add the words "upon this day three months."—(*Mr. Labouchere.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. E. ROBERTSON (Dundee): Although I have not had the advantage of being present during the whole of these Debates, I hope the House will allow me to state in a few words the reasons which impel me to vote against the Third Reading of the Bill. Let me recall the attention of the House to the circumstances under which the Bill has grown. It is founded on the Report of a Committee appointed by this House, and I desire to call attention to the conduct of the Government in relation to that Committee, and especially to the action of the First Lord of the Treasury in regard to it. For three years I have again and again called upon the right hon. Gentleman to fulfil the undertaking given in the last Parliament that a Committee should be appointed to consider the system under which these Grants have been made to members of the Royal Family. I will not trouble the House with the history of the long series of admissions and evasions made by the right hon. Gentleman the First Lord of the Treasury on the subject of the appointment of this Committee, but I contend that the appointment of the Committee, on the Report of which the present Bill is founded, was no fulfilment by the right hon. Gentleman of the pledges which he had given to this House. Both this Government and its predecessor were committed to the appointment of a Committee to consider the whole system of Royal Grants independently of and before any new application. The right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone) did not promise it in order that it might consider any new application, but he promised to appoint it the next Session if he remained in office. The right hon. Gentleman did not remain in office, but the right hon. Gentleman the First Lord of the Treasury has since promised repeatedly that a Committee should be appointed to consider the whole question without any reference to a particular application. I do not know whether the right hon. Gentleman admits that that is a correct statement.

MR. W. H. SMITH: No.

MR. E. ROBERTSON: I will not go back to the answer of the right hon. Gentleman, but I will remind him that in 1887 he distinctly pledged himself that a Committee should be appointed after Whitsuntide, independently of any new application being made, and even this year, on the 18th of March, the right hon. Gentleman said that he would place on the Paper the terms of the Reference as soon as the condition of business afforded a reasonable chance of the recommendations of

the Committee being proceeded with. In fact, for the last three years the whole reason why the Committee had not been appointed was, that the pressure of the business of the House would not enable the right hon. Gentleman to proceed with it as expeditiously as he desired. More than that, the right hon. Gentleman gave me a personal promise that he would give me full notice of the terms of the Reference, but I have received no notice whatever, and I think that the right hon. Gentleman in proposing this Committee on such short notice broke his promise to me and, what is still more important, his engagement to the House. For my own part, in opposing this Bill, I hold that we ought to have regard to the whole endowments of the Royal Family, those arising from the Civil List, from the Crown Lands, the Royal Grants now in existence, the large sums granted for the maintenance of the dignity of the Royal Family and Household, and also the salaries paid to members of the Royal Family for services in the Army and Navy. The aggregate of these sums is sufficient without new claims being made, and what is required is a subdivision and redistribution, such as would take place in the case of the owner of a large estate. We should follow the example of every family in the country, and have a resettlement of the family property as the children come of age. I do not find from the Report of the Committee that even now we know the total sum paid to the Royal Family, but it cannot be far short of three-quarters of a million sterling, and I certainly think that that ought to be sufficient for Her Majesty and the different members of her family. I certainly cannot go back to my constituents and say that it is not, and therefore I cannot vote for this addition of £36,000 per annum for the maintenance of the children of the Prince of Wales. I would congratulate the Government upon having at last informed the House of the total amount of savings in the various branches of the Civil List, but until 30 or 40 years ago this information was given annually to the House. Owing to the action of Lord Brougham the Government withdrew the information which had been previously given; and since that time each successive Government has been guilty of a breach of duty towards the House in concealing the real facts of the case. I observe that the right hon. Gentleman the Member for Bury (Sir H. James) favoured the House the other day with a legal opinion upon the matter, but this is a mere question of the intentions of Parliament, and I should attach just as much value to the opinion of any hon. Member of this House, or to that of a boy who sweeps out a lawyer's office as I do to that of the right hon. and learned Member. I maintain that in withholding the information each successive Government has been guilty of a breach of duty. During all these years we have paid for the audit of the Civil List, and yet the information has been refused. It is only now in order that this Bill may be passed that we are favoured with the information. With regard to the hereditary revenues of the Crown, the right hon. and learned Gentleman the Member for Bury contends that there is some kind of private ownership belonging to the Crown in these estates which justifies its making a bargain with the country, but I would point out that this was denied by Mr. Ilbert, a gentleman who has been promoted and favoured by all the Governments, and who was at one time legal adviser to the Government of India. The question is not merely a legal one, but it is an historical question as well, and in this connection Mr. Freeman also denies the view put forward on behalf of the Government. For these reasons I intend to vote against the Bill. I wish to protest against some of the comments which I have read upon the action of the Liberal section of the House. Odium most unprincipled in its origin and its character has been cast upon those Members in this House who constitute the majority of the Liberal Party, who have opposed this Bill. I am glad that I have been able to come to the House in time to share in the odium. I fully endorse the conduct of those who have taken that part, and I protest against the language which has been used both on this side of the House and the other. When I reflect on the source of this language, I cannot help wondering at the audacity of the persons who have used it. It has come from two of the most notorious demagogues in this House; one of them an ex-Tory apparently in process of conversion to the

Radical section of the House, the other an ex-Radical apparently in process of conversion to the other side. Criticism from such persons falls lightly upon our shoulders; we know how unscrupulously they are bidding for popular support and we treat it with contempt and indifference. I regret that any reference has been made to the personal savings of the Sovereign in this Debate; in my opinion, that is a matter into which no Member of the House has a right to inquire, and I think that the Government have lowered the dignity of the Crown in making any reference to the subject. In opposing this Bill I feel bound to say that I do so through no want of appreciation of the character and services of Her Majesty the Queen; on the contrary, I hold that Her Majesty is the best and probably the greatest Sovereign that this country has ever seen. Her place in history will be beside Queen Elizabeth and probably Cromwell; but I decline to vote money for the purpose simply of enabling Royal personages to compete with vulgar plutocrats. We all admit that if we are to have a Monarchy we must pay for it. We are perfectly willing to pay for it and to maintain it in all reasonable dignity and splendour, but we decline to pay a single farthing more than is just and reasonable. I maintain that we have an abundant margin in the existing Royal Grants, and I dare not and will not undertake to support more. If this question attracts more attention than any other, if it should be productive of consequences injurious and disastrous to the Crown, the responsibility will not be upon us but upon you. I cannot conceive anything more injurious to the Crown, and more likely to be disastrous to the Monarchical Constitution under which we live, than that in the present circumstances of the country you should insist, merely because two new Royal personages have come on the scene, on adding £40,000 per annum to the enormous burdens of the country.

MR. PHILIPPS (Lanarkshire, Mid): The hon. Member for Northampton said, amongst other things, that the discussion on this Grant had made it more difficult for any Minister to propose Grants in future. I think the voting on this Grant has made it absolutely impossible for any similar Bill to pass in the future. When the last Royal Grant was proposed only 13 Members voted against it, but in the first Division against the present Grant 116 Members went into the Lobby against the proposed Grant. I believe that means that Royal Grants are over. These discussions have convinced me that we in this House are nothing like so advanced on this question as the people out of doors. However hon. Members may vote here, I am certain that if a poll of the constituencies were taken not half-a-dozen constituencies would vote for further Grants. [*Cries of* "Oh, oh!"] I will take as an illustration the case of the hon. Member who so well represents the miners of the Rhondda Division. That hon. Member fell foul of the prevailing opinion in this House, but afterwards when he went down to his constituents he was reproved because his language had not been stronger and more violent than it really was. I am glad to see from the newspapers that other constituencies are waking up, and are demanding from their Representatives a statement of the reasons which induced them to vote for this Grant. We in this quarter of the House have been reproached because on topics like this we pose as advocates of economy, while on other questions, the payment of Members for instance, we pose, as it is said, as the advocates of extravagance. There is one thing certain, and that is, that everyone in the House knows very well that if we had paid Members it would be absolutely impossible to get a Royal Grant Bill through the House. Such a fact proves most clearly that the payment of Members would be one of the greatest economies we could possibly advocate. We have heard a great deal about maintaining the dignity of the Crown, and I have never as yet heard anyone explain what is meant by the dignity of the Crown. If it means footmen, and gold lace, and carriages, I do not want to see the dignity of the Crown maintained. Then, again, it is said the Crown must be rich, that the Crown would not be respected if it were not rich. That, also, I absolutely and entirely deny. There is one thing we may bless ourselves for, and that is that riches in themselves are not as much respected as they were a generation or two ago. There is nowadays a wholesome tendency to go behind wealth to its causes. When

people are told that a man is rich, they do not go straightway and worship him, but they ask how his wealth was got, whether it was made in a praiseworthy way. We have now in London a great many more millionaires than ever before, and more probably than there ever were in any other country. We have the millionaires of all countries amongst us. I think this is largely due to the fact of there being no Court in Paris to which the French millionaires can resort. We have here, too, any number of American and other millionaires. All these people come to London to enjoy themselves. The splendour of the Crown, as it is called, leads to these millionaires coming to London. [*Ministerial cheers.*] Yes, I quite admit it, but I dislike their coming here. I admit they are very useful to a certain number of tradespeople in Bond Street, but they create a tendency to extravagance and luxurious living which is bad for the people of the country as a whole. I deny that these cosmopolitan millionaries in London are good for Great Britain at large.

*Mr. SPEAKER: The hon. Gentleman is dealing in a very discursive manner with the subject.

Mr. PHILIPPS: I should like to go on to show, if I may, that the Crown could not anyhow be as rich as some of the richest millionaires in London, and that no Grant this House is likely to pass could enable the Crown to compete with these men in splendour. It is disputed what the Crown really costs. Some Members have put the figure at £700,000 or £800,000 a year. The noble Lord the Member for Paddington (Lord R. Churchill) asserted that the Crown costs us almost £120,000 a year. The noble Lord did not go quite so far as the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain), but endeavoured to make it out that the Crown costs us nothing, and that we got something thrown in. But I maintain that the less you put the cost down at, the more you make it impossible for the Crown to compete in splendour with the rich men who now live in London. The Crown of this country must, therefore, rely for dignity and respect upon something very different to money and Grants from this House. We have had lately in this country a foreign potentate who is said to possess diamonds to the value of seven millions sterling. I have never heard it suggested that the man who possesses the most diamonds is the man to be most respected. I should like some authoritative definition of the word dignity. It is often said that the poorest labouring man in the country has a dignity of his own. Is it disputed that a man cannot maintain his dignity unless he has £30,000 or £40,000 a year? I look at the Crown as something very much more than a merely rich institution. When I consider that the Crown is the head not merely of this Kingdom and Empire, but the head of the British speaking peoples inside and outside the Empire; when I consider that as regards ourselves it is the personification of our national unity, and that its pedigree represents our history, I am very sorry to see the tendency to maintain the dignity of the Crown merely by lavish votes of this House. Our royalty is descended from great Kings who have built up our history, who have repelled foreign invasion, and made laws under which we still live, and I maintain that Royalty in that sense will always be, and ought to be, respected in this country. I do not wish to be considered as exalting the pedigree of the Crown, although I maintain that a pedigree is a much more honourable thing than money. It is a much more honourable circumstance for a man to be descended from one who has done great work for his country than for a man to have had a large amount of money left him.

*Mr. SPEAKER: I am sorry to interrupt the hon. Gentleman, but he is forgetting what this Bill is. It is a Bill to make provision for the Prince of Wales' children. It has nothing whatever to do with the Crown in the general sense in which he is now speaking of.

Mr. PHILIPPS: I will merely say I protest against this Bill because it seems to hold wealth as one of the items of the respect of the country. When I think how easily wealth can be obtained by people who are not respected, and deservedly so——

*Mr. SPEAKER: Order, order!

Mr. PHILIPPS: I think it is bad that we should lay it before the people that wealth is a necessary ingredient of the respect properly paid to the Crown.

*Mr. ATHERLEY-JONES (Durham, N.W.): Although I have been present during the Debates upon the Grant, I

have not hitherto sought an opportunity of expressing any opinion thereon; and it is with no desire to protract the Debate that I venture to offer a few observations as to the reasons which actuate me in recording the vote I have given and shall give. I think it is clearly understood by the country that we Liberal Members would be disloyal to the position we occupy, and to the promises we have made, if we were induced to abandon our duty of watching most rigorously and jealously the appropriation of any public funds by the insinuation that we are guilty of adopting a cheese-paring policy. I do not think that charge proceeded with the most exquisite taste from the noble Lord the Member for South Paddington who has taken up a very worthy and a very proper position in endeavouring to check departmental extravagance in various branches of our Civil and Military life. And again, I feel it is my duty to protest in the strongest possible manner against the suggestion that we are attempting to penalise the Sovereign in respect to the accumulations of funds which are the outward manifestation of the decorum and dignity with which she has maintained the Crown. But while I take that view I am bound to enter into an examination as to whether we are guilty of the charge which is levelled against us. We have been even accused of disloyalty. It is somewhat instructive to find that in the Debates in 1837 on this very subject, by Lord Melbourne and the other Members of his Government, the same charge was levelled against the Whig Opposition. The Opposition of that day were twitted in wishing to substitute a Republic for the Monarchy. I think I am entitled to say that these charges are as unfounded now as they were ridiculous then. Now, while I support the Amendment of the hon. Member for Northampton, I conceive that it is a constitutional doctrine of the first importance that the Sovereign ought to be absolutely dependent upon Parliament for its maintenance, and I can conceive no more dangerous state of things than that the time should arrive when the Crown and the Royal Family should have revenues independent of Parliament. That is a Constitutional doctrine not of yesterday's birth, but which was propounded on the authority of the great statesman of 1837. Whatever deductions may be made from the value of his speech on the ground of Party spirit, Lord Brougham expressed the opinion of a large section of the House of that day, when he protested against the granting for an almost unlimited period of colossal revenues for the Crown. Lord Brougham also pointed out that it would be impossible for Parliament to come to the Crown and demand an account of the surplus of those incomes which had been found more than sufficient for the purposes of the Throne. I entirely disagree with what fell from the hon. and learned Member for Dundee (Mr. E. Robertson) when he said he had nothing to do with the private savings of the Crown. The *raison d'etre* of our position is that the private savings of the Crown are funds which were allocated to particular purposes. I agree with hon. and right hon. Gentlemen opposite, that we have no right to touch those funds for the purpose of appropriating them to the support of the children of the Prince of Wales; but I hold that the spirit of the enactments of 1837 and 1841—the spirit of the original settlement of the Civil List—was that these funds were effected with a trust; that trust was that the funds should be employed for the particular purposes to which they were allocated; that if there was a surplus, that surplus should be used in the reduction of debt on other classes. The inevitable conclusion, therefore, is that if there is no deficit in other classes, any surplus should be applied to the general benefit and uses of the nation. It has been said by great statesmen that the basis and reason of our granting to the Crown these various sums of money for the maintenance of the members of the Royal Family, is that the Crown and the members of the Royal Family are circumscribed within narrow limits as to the persons with whom they can form alliances. There is not a Member of the House who does not rejoice that Her Majesty has reverted to the more ancient traditions of the Royal Family as to matrimonial alliances; but I think it will be admitted that the claim of those members of the Royal Family who contract marriages outside the area of members of the various reigning dynasties to be considered as members of the Royal Family,

in the ordinary sense of the word, ceases. It is for those reasons, firstly, because I believe that this fund which is at the disposal of Her Majesty is a fund which is really held in trust for the nation; and, secondly, because I conceive that we have no right to appropriate money belonging to the nation for the purpose of endowing members of the Royal Family who marry into another grade of society that I oppose this Grant.

MR. CHARLES WILSON (Hull, W.): I would suggest to the hon. Member for Northampton the desirability of not dividing against the Third Reading of the Bill, but I hardly anticipate that my suggestion will be accepted after the speeches that have been made. I voted with the hon. Member for Northampton in his Amendment on Friday night, and I confess that I was influenced to a very great extent by the speech of the hon. Member. Until I heard that speech I did not make up my mind which way to vote. I quite agree that the Civil List is burdened with useless extravagances, and that a saving might be effected which would meet this Grant for the children of the Prince of Wales without imposing any additional burden on the taxpayers of the country. It must be remembered that now we have an enlarged franchise, and that these matters are discussed throughout the length and breadth of the land, and if we wish to make the Royal Family respected and honoured in this country, as we all do, it is undesirable in the extreme that any feeling of irritation should be produced amongst any class by any further Grants being asked for in respect of members of the Royal Family. The working classes feel very strongly on this subject, and no doubt this feeling extends to others. While I and others entertain such opinions, it is as well it should be stated that we entertain no feeling of disloyalty to the Queen, but that, on the contrary, we have great admiration and respect for Her Majesty and also for the Prince of Wales, whom we admit has discharged the duties that have fallen to him with wonderful tact and discretion. I shall not vote with the hon. Member for Northampton if he goes to a Division, because I consider it very undesirable that we take any course which may appear to be discourteous to the Royal Family. [*A laugh.*] An hon. Member laughs; but, still, we must consider that we have a great position to hold among the nations of the world, and that if that position is to be held properly the Crown of England must be represented amongst all the other great Monarchical nations of Europe in a fitting manner. I feel that it is extremely advisable the Third Reading should be passed without a division.

MR. HALLEY STEWART (Lincolnshire, Spalding): I should like to say a word in response to the hon. Member (Mr. C. Wilson). It is quite clear it is hardly possible for some Members of the House to approach the consideration of this question from a purely Monarchical or representative basis. I very much object to being obliged to say that we mean no disrespect to Her Majesty; but when I am personally charged with being disrespectful to the Sovereign, I am compelled to resent the charge. I, and others with whom I act in this matter, stand here with the simple object of discharging our duty to our constituents. Something fell from the Chancellor of the Exchequer on Friday night as to Her Majesty being in the autumn of her life. I should like to say distinctly that if the refusal of this Grant would cause Her Majesty any pain or inconvenience I should be the last Member of the House to oppose the Grant. It is clear to everyone who has any knowledge on the subject whatever that Her Majesty's income is so large that if this grant were withheld there would be no interference whatever with her personal comfort, but it would simply necessitate the rolling up of a smaller fortune than hitherto. Therefore, keeping in view the very large private fortune of the Queen, I hold it to be a simple duty to vote against the Third Reading of the Bill.

The House divided :—Ayes 136; Noes 41.—(Div. List, No. 282.)

Main Question put and agreed to.

Bill read the third time and passed.

COINAGE (LIGHT GOLD) [EXPENSES].

Resolution reported—

"That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of any expenses incurred by the exchange of, or payment for, gold coins, under the pro-

visions of any Act of the present Session to amend 'The Coinage Act, 1870, as respects Light Gold Coins."

Resolution agreed to.

SUPPLY.

Considered in Committee.

(In the Committee.)

CIVIL SERVICES.

CLASS IV.

£2,104,339, to complete the sum for Public Education.

*THE VICE PRESIDENT OF THE COUNCIL (Sir WILLIAM HART DYKE, Kent, Dartford): I believe I shall be following the usual course if I commence the observations I shall have to make to the Committee by explaining, in the first place, what work has been done in the past educational year. The sum voted for 1888-89 was, on the original Estimate, £3,576,077; but there was subsequently a Supplementary Estimate of £24,690, making a total of £3,600,767. The total expenditure for the year was £3,600,692, so that a balance was left of £75. The chief cause of the Supplementary Estimate was that the rate of grant per day scholar, estimated at 17s. 6½d., reached 17s. 7¾d. The total sum required for the year 1889-90, for which I ask the Committee to be responsible, is £3,684,339, or an increase on the sum originally voted for the year 1888-89 of £108,262, or, allowing for the Supplementary Estimate, of £83,572. This large increase of £108,262 is accounted for by an addition of £101,459 for annual grants for day and evening scholars, now equal to £3,323,903, and of £1,940 for training colleges, the sum being now equal to £119,140. Those large sums are required to meet (1) an increase of 83,144, or 2·3 per cent in average attendance of day scholars, and 3,300, or 10 per cent in the average number of evening scholars; (2) an increase of 1¼d. per scholar, or £27,254 in grants to day schools, now 17s. 8¼d. per head; and (3) an increase in the number of students in the training colleges. With reference to the expenditure for salaries and staff there is little or no change to mention. There is merely the normal increase both at Whitehall and in the Inspectorate, the only change being the promotion of six writers to be clerks to the Lower Division. With regard to teachers' pensions, although the position of matters is not, on the whole, as satisfactory as could be desired, yet an additional sum is being paid by the State for so worthy an object. Provision has been made for four additional pensions at the highest rate of £30, 17 at £25, 13 at £20, the total number now in receipt of pensions being 607. In June, 1884, the restriction imposed upon the number of pensions, so far as it affected the claims of teachers employed before August, 1851, was relaxed, with the result that, whereas in 1884 there were 17 pensions of £30, now there are 45. In 1884 there were 86 pensions of £25, now there are 257. In 1884 there were 129 pensions of £20, and now there are 305. The addition to the annual cost of teachers' pensions is £8,600, the total sum provided for pensions and gratuities being £14,215. I will now give a few statistics as to the rate of progress in the elementary schools in the past year. I will give a comparison of the number of schools inspected between 1887 and 1888. In 1887 the number of schools inspected was 19,154, in 1888 the number was 19,221, or an increase of 67. Again, in 1887 we found school accommodation for 5,279,000 children, and in 1888 for 5,356,000, or an increase of 77,000. The scholars on the register in 1887 were 4,635,000, and in 1888 they were 4,687,000, or an increase of 52,000. The average attendance at the schools in 1887 was 3,527,000, and in 1888 it was 3,615,000, or an increase of 88,000. With respect to the percentage of the average attendance to the numbers on the register, it is satisfactory to note that we have got over the slight decrease, or rather the halting progress, of the two preceding years. In 1887 the percentage was 76·1. In 1888 it was 77·1. There was thus a solid gain of 1 per cent in 1888 as compared with 1887. The percentage of passes in standard subjects in 1887 was 87·32, and in 1888 it was 87·97. The number of scholars examined in Standards IV and upwards is a fair test of the efficiency of the teaching in the schools, and there also satisfactory improvement is indicated. The number examined was 912,000 in 1887, and in 1888 it was 953,000, showing an increase of 41,000, or of 4·5 per cent. The percentage of such scholars to the

total number was in 1887 36·3, and in 1888 37·4, or an increase of 1·1 per cent. Now I will take another item which has been again and again discussed in the House, and which is acknowledged to be of very great importance as regards the future domestic happiness of the girls in the schools. I refer to the teaching of cookery, and I ask the House to listen to a few figures, because they show that since I gave a pledge some two years ago that the Department would do its utmost to promote instruction in cookery we have made rapid progress in that matter, although we have not yet reached the maximum point. The number of girls earning the cookery grant in 1887 was 30,431, and in 1888 it was 42,159, or an increase of 11,728. I will now give the number of certificated teachers. In 1887 it was 66,547, and in 1888 68,683, or an increase of 2,136. The number of pupil teachers has risen from 28,930 in 1887 to 29,901 or an increase of 971. Looking at those figures as a whole, they show a decided though gradual improvement in the efficiency of the work done in the elementary schools. They indicate naturally a rather lower rate of increase than in previous years, except on two headings, which I consider of the greatest importance. In the first place, there is a solid increase in the percentage of average attendance to the number on the registers. In fact, we have made up the lost ground of the two preceding years. In the second place, there is a large addition to the cookery grants, showing the advantages of the centre system of teaching and peripatetic teachers. In 1884 the number of girls taught cookery was 7,600; in 1885, 17,700; in 1886 the increase was 6,672, or 38 per cent; in 1887 it was 5,905, or 24 per cent; and in 1888 no fewer than 11,728, or 38 per cent, the total being 42,159, or nearly six times the number receiving grants in 1884. The increase in the number of children on the registers has fallen from 129,000 to 52,000; but the increase in the average attendance is the same as in 1887 (88,000), showing that the enforcement of regularity of attendance has more than kept pace with the addition to the number on the books during the year under review. I believe the new Code will have stimulated school attendance, and there is yet ample scope for energy in that direction when we remember that there is now a daily absence of more than one million children. I am convinced that that deficiency might be much further reduced by making school life more popular, and varying the curriculum, rather than by fines and compulsion. Taking into account all schools affording elementary instruction, there are no fewer than 4,800,000 children on the registers, or 16·75 per cent. of the population: while before the passing of the Education Act of 1870 there were only 7·08 per cent. of the population on the registers of such schools. That result has been achieved by the addition of 6,378 voluntary schools since 1870, providing accommodation for 1,668,000 children, and by the addition of 4,562 Board Schools, providing accommodation for 1,809,000 children. These additional schools are provided as follows: From 1870 to 1876 there were 4,396 voluntary, and 1,596 Board Schools provided; from 1876 to 1882. 1,744 voluntary and 2,272 Board Schools; and from 1882 to 1888, 238 voluntary and 694 Board Schools. The school supply may now be considered as well provided for, only 67 schools of all kinds being added last year. Before I leave these statistics I should like—and especially in view of probable coming Debates on these important matters—to give a few figures with regard to school expenditure, and the cost of maintaining our elementary schools. The cost of maintenance per scholar in average attendance in Board Schools in 1877 was £2 4s. 7½d., as against £2 4s. 7½d. in 1888; in voluntary schools the cost was £1 16s. 4½d., against £1 16s. 4d. in 1888, being a decrease of ½d.; excluding London, the cost in Board Schools was £1 19s. 8½d., as against £1 19s. 8d. in 1888; in voluntary schools the cost was £1 15s. 9½d., as against £1 15s. 8¾d. In the London Board Schools the cost was £3 0s. 5d., as against £3 0s. 6¼d. In 1888, while in the London voluntary schools the cost was £2 3s. 9½d., as against £2 4s. 1¾d. in 1888. London excepted, the expenditure throughout the year has been stationary throughout England and Wales, the net result being a diminution of ½d. per head in the cost of voluntary schools. In Lon-

Sir William Hart Dyke

don, however, the cost of Board Schools has risen 1¼d., and now reaches 6s. 3¼d. a head more than in 1884, while the cost in voluntary schools has risen 4¼d., and now stands at 1s. 11¼d. a head more than in 1884. The increase in the cost of schools in the rest of the country has been during the same period, in Board Schools 1s. 11½d., and in voluntary schools 1s. 1¾d. The increase of cost, therefore, in the Metropolis contrasts unfavourably with the rest of the country. Contributions from the rates amount to, per scholar, 17s. 7¼d., a reduction of 1¼d. compared with 1886-7; subscriptions, 6s. 7¾d., the same as the year before; payments by children in Board Schools, 8s. 11¼d. per head; in voluntary schools, 11s. ¾d. per head, being a reduction of 1½d. and 1d. respectively. Compared with the figures of 1884, the rates have increased 1s. 4¼d. per head, the voluntary contributions have fallen ¾d. per head, and the school fees have fallen 6½d. per head in Board Schools and 1¼d. per head in voluntary schools. The increased cost per scholar from 1884 to 1888 has been, in Board Schools, 2s. 11d.; in voluntary schools, 1s. 2d. A reduction during the same period has taken place in the fees and contributions of voluntary schools of 2d. per head, and in the fees payable to Board Schools of 6½d. per head. The total deficiency has been met in Board Schools by an increase of rates 1s. 4¼d., miscellaneous receipts 1¼d., additional grant 1s. 11¾d.—being a total of 3s. 5¼d.; and in voluntary schools by an increase of endowment ¼d., and additional grants 1s. 3¾d.—or a total of 1s. 4d. So much for the educational work of the past year. But if I finished my statement here I should be doing not only myself, but also the Department with which I am connected, a grievous wrong. I must therefore pass on to review other matters. I have been told over and over again during the past few months that the Code with which my name has been connected is much too stringent. It is now practically withdrawn from the cognisance of Parliament; but, so far as my experience goes, I think that one of the most indifferent methods of enjoying life is to have anything like a joint parentage in a Revised Code. The amount of inquiry, disturbance, and criticism is such as to be absolutely destructive of peace and comfort so far as this life is concerned. Before I proceed further with my remarks however, I must express my extreme regret that the constant pressure of public business has prevented me from making an explanation of the Code. I admit that I have not pressed my right hon. Friend the Leader of the House to any great extent, and when I refer to the criticisms of the Code I do so in no impatient and carping spirit. A document so intricate and so replete with technical language might easily be misunderstood, and, therefore, I am not surprised at the criticism. The Code was criticised from two points of view. It was urged by many that it did not go far enough, so far as education is concerned; while others said it went so far as to injure the schools in which they were most intimately interested. I believe, however, that whatever sins of omission or commission may be in these proposals, it will be acknowledged by all that, so far as its educational aspect is concerned, it is one of the best Codes ever laid on the Table of this House. I should like, if I may be permitted, to allude for a few moments to one or two of the more important questions raised in this document. One of the chief criticisms to which I have been subjected is that the Department have only partially adopted the recommendations of the Royal Commission, while they ought to have been adopted as a whole. It is true that the Department have not adopted all the recommendations of the Commission, but with some experience of the House and with some knowledge of political Parties I was aware that some of those recommendations would have provoked bitter Party controversy. We may fairly urge, therefore, that the Department did right in seizing upon recommendations which had received the commendation, not only of those who signed the Majority Report, but of those who signed the Minority Report as well. Let me deal, then, for a few moments with this charge. I may turn to the page of the Report in which the majority say that their desire has been first to make such recommendation as will give the country certain inestimable advantages for the present large outlay. But what happened, for example, in regard to the proposal to assist voluntary schools out of the rates? Those who

represented the interests of the majority of the Commission held a large meeting at which this question was discussed, and by an enormous majority the proposal was rejected. I should like now to deal with the most important change which was proposed, and that was in regard to the administration of the Grants. No one has studied either the evidence laid before the Royal Commission or the Majority or Minority Reports without coming to this conclusion—how very little really was urged in favour of the maintenance of the existing system of payment by results, and how much was urged against it. In framing these new proposals the Department felt, of course, the heaviest responsibility, because, so far as educational results were concerned, and particularly in respect of the elementary subjects, we felt we were leaving safe ground. We felt the gravest responsibility in bringing these proposals before Parliament. The great complaint made and urged before the Commission was that the existing system had grown too mechanical in its character, that it produced nothing but a system of cram, and that, instead of turning out the pupil with all his faculties broadly and widely developed, it looked upon the wretched scholar much in the light of a machine calculated to grind so many bushels of corn. In regard to the new system of administering the grants, the Education Department have endeavoured as nearly as posssible to follow the recommendations of the Majority Report of the Royal Commission. These proposals have been criticized from various points of view. In the first place, the Department has been told that payment by results would practically obtain under the new proposals. My reply to that is that nothing of the kind would happen, and that under them the elementary subjects would be judged on the same system as class subjects; the whole standard would be examined, and the Inspector would judge accordingly, and the award of the grant would not depend, as heretofore, on individual passes, but on the fact that the children, as a whole, had reached one of three standards which were named. It is difficult to explain the scheme without the Committee having before them the instructions which would be issued to Inspectors, but the Department hope to found it on a system which has been thoroughly tried and tested in this country. It is said that the scheme leaves too much in the hands of the Inspectors, but I have to point out that these Inspectors are gentlemen who have been well tested in the work they have to accomplish, and none will have had less than 10 years' experience. No doubt the Inspector's Report will indicate to the Department what grant a school should receive, but the Report will have to be of the most searching and thorough character, and upon that Report the Department will have to judge. I have been told that the new proposals will be destructive of the interests of many of the voluntary schools, and that I shall be regarded as an immolator and destroyer. That I need hardly say, considering my predilections and my past experience, is not precisely the line of conduct I should sketch out for myself, but it would be well, perhaps, I should state how I believe the proposals will work. In the first place, the lowest grant of 12s. per scholar, according to our late proposal, must, at all events, be awarded to every school for two years which has a certificated teacher. I think there was something humane in a proposal by which every efficient school which has a certificated teacher should have two years, at all events, in which to improve its position and be secure of the 12s. grant. I should like to explain the position in regard to the three proposed grants of 12s., 14s., and 15s. 6d., respectively. These represent in the three standards of the schools, the percentage grant, the merit grant, and the fixed grant of 4s. 6d. At present no school does obtain 12s. per scholar unless it can produce 78 per cent of passes; likewise no school can obtain the 14s. grant unless it passes 90 per cent, and no school can obtain the 15s. 6d. grant unless it has 96 per cent of passes. I find that nearly 20 per cent of all our schools passed less than 78 per cent, and earned less than 12s. per scholar, and, therefore, in the case of that 20 per cent the Department's proposals will give an additional impetus to improve the efficiency of the schools. Proceeding on we find that 37·39 per cent of our day schools pass less than 90 per cent of the pupils, and receive

less than 14s. I find in most of these schools there is the same result—an increased grant in every case up to the maximum. Again, I find that no less than 42 per cent of the remainder of our Board Schools pass between 90 and 100 per cent. A large majority of these pass between 90 and 96 per cent. There is also a considerable gain in grant per head in each one of these schools. Therefore, when I am told that this is a vast scheme for the demolition of voluntary schools, I cannot help regarding the statement as somewhat astounding, and I am anxious to discover some fact or reason which will act as a warning to me and bear out the assertion.

MR. MUNDELLA (Sheffield): The right hon. Gentleman spoke of the number of schools that passed less than 70, less than 80 and 90 per cent. Could he tell us the number of schools which passed less than 65 per cent and less than 60 per cent, and the number that get no grant at all?

*SIR W. HART DYKE: I have no doubt I could get the information from the right hon. Gentleman, but I have not the figures with me. I know that, below 65 per cent, there are a good many.

MR. MUNDELLA: Yes.

*SIR W. HART DYKE: Before I leave this point, I may say that, in respect of the poorer or struggling class of schools in this country, this scheme of ours is eminently calculated to assist such schools. It will afford them the utmost encouragement to improve their efficiency, and they will be, in the vast majority of instances, afforded the solid and substantial advantage of an increase of their grants. Then, Sir, there is another branch of our system of grants—that for class and extra subjects. We propose seriously to relax the position of our schools with regard to these class and extra subjects. We have a proposal, which I hope will be renewed, to no longer insist on the necessity of teaching English as a first class or extra subject. I have alluded already to the question of cookery. I think the widening and opening of the curriculum of extra subjects will be found of enormous importance. Take, for instance, the scattered schools in agricultural districts. Can we rest content with the knowledge that our agricultural schools in England and Wales are passing in elementary subjects and nothing else? I consider that a mistake, and a deplorable mistake. Again and again, by hon. Members on both sides of the House, I have been questioned as to instruction in agriculture in our schools. I know something of rural school life, and I am not going to suggest anything so absurd as the turning out of first-rate agriculturists from our elementary schools. But there is a vast difference between that and the absolute ignorance which we see in our agricultural districts of what is destructive to agriculture and what beneficial. A deal of good could be accomplished by giving some instruction in insect life, and illustrations might be hung in our rural schoolrooms of insect life with the utmost advantage to agriculture. What do we propose to do? That pupils may attend combined science classes—a plan which has been productive of great benefit in Hertfordshire and other counties where the central system of teaching has been carried out. I believe, not only in rural districts, but in towns the combination of schools for the achievement of a particular purpose is of great advantage. What one school is absolutely unable to do can be accomplished by a group of three or four schools with very little trouble and expense, and by means of a peripatetic teacher they could carry out a system of instruction such as I have indicated, with vast consequent improvement to our school life. I need hardly mention, Sir, that there is then the great question of drawing. Hon. Members are aware that we have placed drawing outside the 17s. 6d. limit, and a most useful change I believe it was. Hon. Members will be glad to hear that there is a vast improvement in respect of the numbers being taught. I believe I am right in saying that the number of children being taught drawing in our elementary schools has increased 25 per cent. That is most satisfactory. I am one of those who think that the pencil ought to run a harder race for supremacy with the pen in the teaching of our schools. I am of opinion that enormous benefit is to be derived from teaching children drawing in our schools. If hon. Members will look at the Code, they will find that managers were encouraged to submit to the In-

spector a progressive scheme of lessons in class and specific subjects, and the curriculum would thereby have been widened to the greatest possible extent, and could have been readily adapted to the special circumstances of particular classes of schools. As regards the voluntary schools, I ought to say, before leaving this branch of the subject, that they will find a new field of exertion in these class and extra subjects, for which the Code offered fresh facilities. It will be asked, How is this to be done? It is true that a vast number of these schools do not at present see their way to afford instruction in extra subjects? But I would venture to plead that the new way of administering grants and conducting examinations will give to these schools time which they do not possess under the present system. It would give more time for teaching, and a better method of classifying the pupils. It would be a more elastic system—would cause less drudgery; it would be more liberal in its character; and I believe, if it is adopted, that the time hitherto wanting for teaching of these extra subjects will be available for their benefit.

MR. CONWAY (Leitrim): Do you do away with the 17s. 6d. limit?

*SIR W. HART DYKE: The hon. Member refers me to the 17s. 6d. limit. I am not going into that question, which is a matter for legislation; it is not a question which can be discussed on a Vote; but of this I am sure, that, if any movement is made in the direction of assisting the school by further grants from the State, no such proposal will be considered valid or adequate by this House which does not carry with it some security that the extra money paid will be actually expended for the benefit of education. That, I think, may fairly be urged and demanded. My hon. Friends may say, "It is of no use shadowing forth these changes, which may be of use to these schools, if we are met by the vexatious difficulty of the 17s. 6d. limit." I have taken six counties in different parts of England, which I believe to be typical counties—Buckingham, Herefordshire, Lincolnshire, Norfolk, Westmoreland, and Wiltshire. In these counties I find a total of 1,547 schools, out of which only 204 schools have exceeded the 17s. 6d. limit, 525 over 15s., 542 over 12s. 6d., 190 over 10s., and 26 under 10s. Only 17 per cent. of these schools are handicapped, if I may so term it, by the 17s. 6d. limit, while no less than 83 per cent are below that limit. Therefore, so far as 83 per cent of these schools are concerned, these proposed changes would be of considerable benefit; and, taking the proposals as a whole, I think there is not one of these schools—and I say it as School Manager in a country district—which will not be able to bring its total grant up to the 17s. 6d. limit. Again, I must say that I find it difficult to discover how proposals such as these are to immolate and destroy the great mass of the voluntary schools of this country. We have been told that they will destroy some 3,000 voluntary schools, and before this Debate closes I shall be anxious to know how they will destroy 300, or 30, or 3. Though I am afraid that I am detaining the House, still I think that the matters which I am discussing are of a very important character. I should like to say a word or two with regard to our teachers. Some of the largest and most considerable of our proposals affect our great teaching system. I must say I have marvelled at the inaction of the teaching community with regard to these proposals. They are, to my mind, so manifestly to the advantage of the teaching community that I have been puzzled from time to time that they have not been more cordially accepted as to principle and less criticised in minutiæ of detail by the great mass of the teachers of this country. Now we have a proposal which I hope at all costs will be renewed, and it is that we relinquish the endorsement of teachers' certificates. We believe that it has been irritating, and that it has sometimes operated cruelly upon teachers who have been hard workers in their profession. The most important change, however, which we propose for the encouragement of teachers is in respect of freedom of classification. These changes were urged by the Report of the Royal Commission. I am aware that in certain quarters these changes have been criticised as not being real, but only changes on paper, and that if put to the test of practice would fail. I can only say that these proposals as

regards freedom of classification are intended to be complete, and real, and conclusive. We propose that a teacher may put his scholars, as regards reading, writing, and arithmetic, in any standard he chooses. We have been told that no proposal of this kind will be satisfactory so long as the word "age" is left in certain Articles of the Code as one of the tests of the capacity of a child. I think myself broadly that it would be against experience of all kinds, and against common sense, if we were to strike out "age" altogether as a means of testing the capacity of a child. Take a case. The Inspector passes a child whose face shows the evident traces of overwork. Would not one of the first questions which a man of sense and responsibility would ask be as to the age of that child? To forbid such a question as that would, to my mind, be an absurdity. In judging of the capacity of a child it will be the duty of the Inspector to consider every possible circumstance, including that of age. I think the objection to the word "age" is a wrong one, for after all its retention would not work injuriously as regards our teaching system, but serve as a protection both to teachers and children. Then we are told that the liability of all scholars present to be examined is likely to work harshly, though I think it will be a most useful provision. It is said that a child may have been in the school only two or three weeks when it is seized upon and examined by the Inspector to the injury of the expected efficiency of the school. I think such a criticism as that does not do much credit to the common sense of the Inspector, who would surely not be fit to remain long at his post if he did not easily discover how long the child has been in the school. Sir, there are one or two other points on which I should like to touch—among them that relating to day training colleges. We shall not propose vast revolutionary changes as regards the training of our teachers, but we do consider that the recommendations of the Commissioners on this point are well worthy attention, and we think that the experiment should be made. I will say this, in regard to our proposal, that so far as the Universities are concerned, and in regard to all Institutions who are prepared to receive day teachers for training, we have received the greatest possible encouragement, especially from the Yorkshire College at Leeds, and the other University Colleges, the members of which have shown the greatest anxiety to be of service. The religious and moral training of our teachers is a subject of the greatest importance. I perfectly admit the importance of the religious and moral training of those who have to instruct our children. I will not go further into this point, except to say that we shall in every possible case have appointed a strong Local Committee in association with this new system when inaugurated. I deeply regret the postponement of this Code in regard to bilingual teaching in Welsh schools. The proposal to afford facilities for the teaching of Welsh and English side by side has met with unanimous support through the whole of the Principality. And in reference to this, I should like to remove a misapprehension which seems to prevail. It is thought that these proposals are made to promote the teaching of Welsh; but to my mind they are in a precisely opposite direction. We have made them entirely from an educational point of view, and because we found that unless some change was made in the Code, the Welsh people, in their efforts to learn English, would be heavily handicapped when it came to a question of examination. So far as my wishes and object are concerned, these changes have been made to promote the education of the Welsh children, and to enable them to get the best equipment when they start life. I am aware, Sir, that there have been several severe criticisms of our proposals with reference to evening schools. I at once admit that some amendment of them is necessary, and they shall be carefully considered by next Session. We think, further, that the additional subjects which we proposed should be taken in the evening schools were not sufficient. We feel that instead of two, four additional subjects should be allowed in evening schools in respect of such children as are not presented in any standard. I see by the Majority Report of the Commission it is suggested that we should do away with any distinction as to elementary subjects in evening schools or classes. But there is one difficulty so far as we are concerned, and

that is that the elementary schools receive public grants under the Act of 1870, and that so far as the Education Department is concerned we must recognise the teaching of elementary subjects, and put that test to scholars before they can have the advantage of evening schools. We have been much criticised in respect of the curriculum of evening schools. We are told that we ought to have a very wide curriculum. We will treat it as widely as possible; and I conclude that the permission will apply to evening schools, where, under the footnote to Schedule IV., any subject with the approval of the Department can be taken as a specific subject. These proposals involve a curriculum as wide as any educational reformer could wish. It is proposed that a special curriculum should be drawn up with reference to all these extra specific or class subjects; but to my mind it would be far better to leave the curriculum as wide, and as open as possible, and to let it be made as useful as possible to the wants of the locality in which the school is situated. I am aware that I have only touched on two or three points of interest in our educational system. It is utterly impossible in remarks such as these to cover the whole ground. I need hardly say, Sir, that we have had but one object in view, and that is the improvement and furtherance of our great national scheme of education. We shall endeavour, if possible, to turn managers into a new groove, to improve the general character of our schools, to make our school life more elastic and more popular, and, with regard to extra class subjects, to do our very utmost to widen the curriculum. One or two notices have already been given for next Session, and they rather point to the fact that the educational barometer presents more stormy aspects, perhaps, than it has done for some years past; but, so far as I am concerned, I know of nothing at this moment, and I trust that nothing would happen in the near future, which would lead me to be unfaithful to the traditions upon which the great Act of 1870 was framed, and which were to make the School Board system supplementary to, and not destructive of, voluntary effort. Well, Sir, whatever may be in store for us in the near future, I do not disguise from myself the fact that there are questions of vast educational importance looming in that near future. Still, I trust that the House will approach those questions in a calm, broad, and judicial spirit, as becomes a Representative Assembly. I am certain of this—that we cannot afford to quarrel, or make political capital out of these great subjects. There is plenty of information to show that Continental nations are taking vast and daily strides in educational matters. They are sparing neither time, energy, nor money to bring about great results in education. Therefore, Sir, we cannot afford to waste time in quarrelling over those questions instead of coming to a practical result at as early a date as possible. I hope and trust that we shall approach them in a non-Party spirit; and I am quite sure of this—that whatever may be the result of our labours, whatever may be the result of our Debates on these important questions, we shall, at all events, ever be mindful that there is no issue so great, which an Assembly like this can debate and consider, as the education of the people, involving, as that education does, the fate and future of this great nation.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): Sir, the statement which the right hon. Gentleman has placed before the Committee is not only interesting but highly satisfactory to every Member of this House and to the nation at large. As I understand, during past years not only has the attendance of children at school greatly improved, but practically we are very nearly up to our accommodation power. All we have to do now is to keep pace with the annual increase of children; at the same time, the moment has now fully come when we should endeavour to increase the efficiency of the schools by improving the education. We all concur, I think, in what the right hon. Gentleman said in reference to the withdrawal of the new Code. It was a very liberal Code, and a very considerable step forward in education, and embodied many very valuable suggestions. On this side of the House we certainly do feel that if the Code was not so thorough in some respects as many of us wished, yet we knew that it was high time, after the four years of stagnation which we have had since the Royal Commission, that a further step should be taken in order to carry out their

recommendations. The right hon. Gentleman said that there was a pressure of business during this Session which had caused the collapse of that Code. Of course, that is only a way of putting it. We know, and the country knows, that it was not lack of time, but the pressure brought to bear by men behind the right hon. Gentleman upon the Government, which caused the withdrawal of the Code. The Chancellor of the Exchequer said the other day that the Party of which he is one of the most brilliant ornaments had among it no reionaries. We know it is perfectly true that reactionary Conservatives have almost disappeared; but I regret to say that, in respect of elementary education, we have still Conservatives—and those the Representatives, chiefly and unfortunately, of the Church of England in this House—who have caused the withdrawal of this Progressive Code. I am led to say that its withdrawal, to a certain extent, was the fault of the Education Department. While the right hon. Gentleman was presenting to us the Code, he left us very much in the dark as to how these vast and Radical alterations were to be carried out. I think that hon. Gentlemen on both sides of the House thought the Department would have done well for their own sake and the sake of the Code if they had laid before the House the instructions to the Inspectors on which they wished the Code carried out. I regret the delay which will be caused to progressive elementary education by the withdrawal of the Code. The right hon. Gentleman expressed the hope that the Code would be re-introduced. I trust he will be successful in doing so. And if his speech is an indication of the lines on which the Code will go next year, I do not know that we on this side of the House need so very much regret the delay which has taken place. But I am afraid that the same malign influence which destroyed the Code this year will be encouraged by its success to act in like manner towards the re-introduced Code. Those who have opposed it have done a very ill service to the cause which they have at heart. I do not believe that any political action in regard to educational matters for very many years past has done so much to injure the voluntary system in public estimation. For many years past I have been one of those who can see a very great advantage in the dual system of Board and Voluntary Schools. But those who support the dual system as it at present exists do feel that, after all, the voluntary system only exists so long as it is really educational. When we find, as we have lately found, unfortunately, that voluntaryists look more particularly to the interests of their own denomination; and when we find the Archbishop of Canterbury reported to have said at some educational conference a while ago that this Code must be destroyed in the interests of the Church, then I confess it seems to me that to take up such a position is likely to do very much injury to the voluntary system. And not only so, but this opposition has been a very foolish opposition. The right hon. Gentleman, as Education Minister, clearly pointed out in his speech that the position of affairs under the new Code will not be disadvantageous, but rather advantageous to the voluntary system, because they will gain by the increased grants to the small schools. So that on the mere score of pounds, shillings and pence they will find they have made a great mistake. But if these educational reforms did entail a certain increased liability on voluntaryism, they ought not to whine to this House over those proposals; they ought cheerfully to accept them, for it is a fatal position for voluntaryists to take up that denominational poverty is to stand in the way of educational progress. As far as I can see they have no case. After all, voluntary education does or ought to imply some sacrifice on the part of those who are interested in that system. [*Cheers.*] I am glad to find that hon. Gentlemen on this side of the House cheer that proposition. I think it is too much forgotten that sacrifices, instead of having been increased of late years, are very much diminished, and there is a large number of voluntary schools which are voluntary only in name, and which are carried on by means of fees and grants, and without any sacrifice at all on the part of the voluntary managers. Considering the very large sums that are paid to the voluntary system, and the very liberal way in which it has been treated, I do not see how they can expect the nation to vote additional sums unless they are prepared to make

some corresponding sacrifices on their part. During the last 10 years the voluntary system has received something like £160,000 annually in children's fees, and they are educating a quarter of a million more in their own particular tenets. Not only are the Voluntaryists not called upon for further sacrifices, but the burden upon them is actually diminished by no less than £30,000 a year in less than 10 years. I think we may fairly ask those who are specially interested in these schools, to be ready to re-subscribe this small sum, if the nation, in its desire to have further educational progress, requests them to make some further sacrifice to the interests of their own special schools, and join with the Vice-President of the County Council in hoping that this subject will never be made an acute Party question, for in the educational future of this country it is essential that all Parties and sections should combine to improve it. I feel sure that nothing will more damage the cause of education than that a large section of the community interested in special schools should endeavour to prevent progress by pleading their poverty. I think it a pity that, even if the Code were going to be withdrawn, we had not an opportunity of discussing it in this House, because that discussion would have been the means of rendering some assistance to the Department and also to the House in appreciating the merits and demerits of the scheme. The chief point of the right hon. Gentleman's speech was that in which he referred to the substitute he proposed under the new Code for payment by results. I am one of those who think that the Code would have gone a long way to get rid of the many evils which existed under the old system. We should, by the proposals of the right hon. Gentleman, have got rid of the old multiple system; but, at the same time, I think that, under present circumstances, it would be impossible to get rid altogether of the system of making some recognition by grants of the merits of the schools. It is proposed by many of the teachers that there should be regular grants given to every school, and that it should not depend on the examiners or on the machinery of the schools, but that it should be by a combination of machinery and teaching and good buildings that good results should be awarded. But if we had not to make large payments to the beneficiary managers under the prevalent system, I doubt whether we should see large sums paid to Local Bodies to make them responsible for the management and inspection of the schools, and I also doubt whether such a system could be carried out. I am not sure that, under our system, where we cannot have a local buffer, such a system as that would answer, and I believe the proposal to abolish payment by results would be a satisfactory step forward, because it would get rid of that which was the real evil—the old system of the individual examination of every child, and the payment of a percentage on examination—a system shown by the evidence before the Commissioners to be overwhelmingly bad. The right hon. Gentleman emphasised the great opportunity given to teachers for the classification of the children and the choice of class subjects, and probably every hon. Member will welcome the great change which under these two heads it is proposed to make; but I do not agree with the right hon. Gentleman on one point—namely, that, although he proposes to give full freedom of classification, he is still going to retain classification by age. He desires that the word "age" should remain in the Code and be one of the items in classification. If we were starting a fresh system there might be no evil in such a principle; but the great complaint of the teachers and managers is that the Inspectors in the past have gone almost entirely on the age of the child, and if that word is still left in the Code the result would be that, the Inspectors having got into this rule, there would still be a great deal of difficulty in the classification. In regard to the choice of class subjects I agree with the right hon. Gentleman that under the new Code he has given practically freedom of choice; at any rate there is greater freedom than under the old system; but I am afraid that what is given with one hand is to be taken away with the other. It is proposed that schools shall not earn grants unless they take one of certain subjects, and the Department alway sseems to desire that as far as possible the obnoxious class subject of grammar shall be crammed down the children's throats, as they put that in the class subjects with repetition,

making repetition compulsory. Under these circumstances freedom of choice in class subjects will not be so great as the right hon. Gentleman supposes. I regret that the right hon. Gentleman has not been able to carry his new Code, as I think it would in many respects be one of the greatest educational departures of modern years. It is too much to expect that in the next few years the right hon. Gentleman will deal with the question of fees. I am not now going to discuss the question of free schools, but I would ask whether he could not see his way to the fees in the voluntary schools being made lower and more uniform than they are. I cannot for the life of me see why the fees of the School Board schools should be absolutely under the control of the Department, while those of the voluntary schools are practically under the control of the managers and not of the Department. In a number of instances the fees in the voluntary schools are very irregular, and in some cases among the rural schools we find that they have been actually raised almost to prohibitive amounts in order to drive the children out of school, so that the farmers and others might utilise their labour more quickly. The right hon. Gentleman has stated that the children leave the schools at far too early an age, and I think that if he could only make a proposal to raise the age he would meet with almost universal approval. I would, however, suggest whether he could not combine such a proposal as that, which would throw a large burden on the parents, with some system under which fees might be greatly reduced and made more uniform, so that the parents would be to some extent relieved from the burden they have now to bear in the shape of loss of the children's wages and the cost of their school attendance. Thanking the Committee for its kindness in listening to these remarks, I cannot conclude without once more expressing my deep regret that the Code has been withdrawn, and my strong hope that the right hon. Gentleman will reintroduce it, or perhaps introduce evea a better one, next year if he has the opportunity.

*SIR R. TEMPLE (Worcester, Evesham): I cannot but heartily join with the hon. Member who has just spoken in congratulating the Minister for Education on the statement he has made to-night in a genial, sympathetic, and statesmanlike manner. I am sure that this House will heartily concur in what has fallen from the right hon. Gentleman as to the principal objects to be aimed at in regard to elementary education. I am certain that those objects are being obtained within the Metropolitan area, and that if hon. Members of this House could only see the educational work that is being done in London they would feel some pride in what is being achieved for the culture of the children, and look with hope and confidence to its good results to the country. I am sure that if the public could have seen the children of the Board Schools perform their march past in the Park of Lambeth Palace last year, and have witnessed the physical exercises the other day in the Albert Hall, they also would have felt pride in what is being done. We cannot, perhaps, get up an exhibition of drawings; but in music I believe we could fill the Crystal Palace with choirs of our children under our own teachers as conductors. We are going to have an exhibition of needlework in the East of London during the autumn, which I am sure will astonish all the spectators; and as regarded cookery, if hon. Members would visit the cookery centres between 1 and 2 o'clock, I am confident that their external senses would be gratified. I am sure that my right hon. Friend has exercised a wise discretion in postponing the introduction of the Code, at least till another Session, so that the public mind may be better matured by discussion during the Autumn on the subject. Nobody on my side of the House has doubted the excellence of the intentions of my right hon. Friend in regard to the voluntary schools. No one has ever accused my right hon. Friend of having done anything wilfully to immolate (as he calls it) or spoliate voluntary schools. It is felt that many of the proposals that are of benefit to the voluntary schools apply mostly to schools in the interior of the country in those counties such as that the right hon. Gentleman represents, and such as I myself represent, but that these benefits are not extended equally to the great voluntary schools in the towns, which are suffering from the competition of the Board Schools.

These are the schools where the real pinch exists, and where the actual struggle must be waged. If there was to be real benefit to voluntary schools at large, how is it that no increased provision was made in the Budget on this account? Has the Chancellor of the Exchequer made any increase to his Budget on account of the Code? Not at all. He has not done so in the Budget for the year, and I fear he will not do so in the next Budget. What would happen would be this: new concessions would be made in one direction and new restrictions would be imposed in another—addition in one place, subtraction in another—so that both ends are made to meet. But, on the whole, there would be no net gain to the schools. The objections and difficulties of voluntary school managers in respect to the new Code I will, in a few moments, summarise. I must do this in justice to my constituents. In the first place they contend that their liabilities are increased, while their resources will not be increased. Liabilities will be augmented in various directions in respect to space in school-rooms, to establishment of teachers, and to apparatus, but there will be no increase wherewith to meet the increased liabilities in these three important departments of school management. On the other hand, they contend that their grants on the whole will not be increased. It may be so in some of the small schools in the interior of the country, but not in the great voluntary schools in the towns, and I think the danger is not for the country schools but for the town schools. In the country schools there is no competition whatever, while in town schools there is a grinding, crushing competition on the part of School Boards. It is difficult to argue in detail before this House as to whether such and such articles in the Code will benefit particular classes of schools, but those who are the managers and best judges as to whether they will gain or lose, declare for the most part that they will not gain. There is no complaint against my right hon. Friend for not moving in the matter of the 17s. 6d. limitation. Of course there is great grief over this limitation, but all our voluntary friends are well aware that the expansion of this will require legislation, and that if legislation is proposed a great deal of strong feeling will be evoked on the other side, and opposition to the alteration would be serious, and would have to be wrestled with. As regards payments by results our voluntary friends are, no doubt, thankful to see that the stringency of the system heretofore exercised will be relaxed, but what will be substituted will be an unlimited, irresponsible, inspectorial discretion—excuse the long words, but perhaps they are allowable in an educational discussion—everything will depend on the instructions given to the inspectors. It may be that under these instructions the new system will be more burdensome than the old; it may be that while payment by results is a chastisement with whips, payment on inspectoreal reports may prove a chastisement with scorpions. That is the fear which prevails, and it might be advisable for my right hon. Friend to publish those instructions simultaneously with the Code. Further, in the execution of these instructions much will depend on the discretion of the assistant inspectors, and I would commend to my right hon. Friend that if the assistant inspector makes a report adverse to a school, an appeal should lie to the principal inspector. And, further, if it is contemplated to withdraw a grant from any school, that school so threatened should have due notice thereof, and the right to show cause to my right hon. Friend why the grant should not be lessened or withdrawn. There is great apprehension, and more than apprehension, much sorrow at the proposal to withdraw the grant for pupil teachers. The pupil teacher system is, in my judgment, essential to all schools, and particularly to voluntary schools, on both financial and administrative grounds. What our voluntary friends feel is this, that it was in order to find money for additional advantages and same time to strengthen the schools in the interior of the country, in rural districts, schools that are not exposed to competition, that the grant for pupil teachers was withdrawn, and the withdrawal creates great disappointment to the town schools which are exposed to School Board competition. One great recommendation of the pupil teacher system is its economy, but it further conduces to efficiency. The best

teachers are those who have been brought up to the business of teaching from childhood. Selected scholars first serve as junior then as senior pupil teachers in special centres, then as ex-pupil teachers, and then after passing through the training colleges and won further their parchment certificate, and at last, having served as apprentices for eight or 10 years, become full-fledged assistant teachers. These are the very best men and women of their class who have imbibed the doctrines of pedagogy from their earliest years, and therefore we contend that a great blow to efficiency, as well as to economy, is being inflicted when the pupil teachers' grant is withdrawn. As to the training colleges, the voluntary school advocates have no objection to day colleges being instituted, but they fear that the day colleges, introduced in certain circumstances and conditions, would be enabled to compete unfairly and injuriously with the training colleges already existing, which are residential, and which have been founded for many years and have done wonderfully good work and brought up their alumni in a manner no day college can possibly equal. Therefore, there is an apprehension. No doubt my right hon. Friend may be able to make such regulations as shall secure an open field without favour, both to existing or residential training colleges, and the new day colleges to be set on foot. Another great disappointment is that the new Code made no provision for technical education. We contend, subject to the better knowledge of the Education Department, that nothing would have been easier than to obviate, by executive orders without legislation, all trouble about elementary schools, which trouble will now survive this Session, be carried over to next Session, and perhaps will never be solved. We say it would have been perfectly easy to make such regulations for technical instruction within the four corners of the Education Act. Further, we say the Code might have gone further in popularising evening classes. We are constantly liable to the eloquent and fervid appeals of the hon. Member for Flintshire (Mr. S. Smith), because we, for years, have been trying to extract from the Education Department under this and preceding Governments certain reasonable facilities in order to make evening classes popular. We did hope that this matter would have been settled by the new Code. I admit that the Code has done something, but much more might have been done. My right hon. Friend men ioned that the teachers as a body do not seem to be strongly in favour of the new Code, and is not that a signal proof that the Code requires further consideration? But I am not aware that there is disapproval of the Code on their part. While teachers think that there are many good points about the new Code, they at the same time complain that there is no provision, or a matter as to which teachers in England, whether in Board or voluntary schools, consider themselves much aggrieved. There is no provision whatever, either by Parliamentary or any other agency, in the nature of superannuation arrangements for them when they are unable any longer to carry out the exhausting labour in the class-rooms, and this too by deductions from salaries without any burdens to the rates. This is a matter of great importance, because it not only affects the teachers personally, but the efficiency of the schools as well. In the absence of any such arrangement, teachers have to be kept on year after year, teachers of excellent character against whom no specific complaint can be alleged, but on whom increasing years are telling so that they are no longer equal to the discharge of their arduous duties. Now, Sir, I feel bound to take this opportunity of stating so much to the House, on behalf of my voluntary friends, not only on account of my experience in the Metropolitan area, where we School Board people are brought face to face with the greatest voluntary schools in the country, who are carrying on the most arduous of all the struggles now being waged anywhere, but also in justice to my own constituents and to a large class of clergy and school managers and of other persons interested in education who form the chief pillars of support of the voluntary school system. I say that the voluntary school system in this country is a system which deserves the support of Parliament and the nation. In the first place, it is a magnificent display of patriotic effort, the like of which is not to be seen in any other country under heaven. My right hon. Friend the Member for

Sheffield is fond of telling the English people how much they have to learn from other nations in the matter of education. It is true we have much to learn from other nations, but I venture to think they have still more to learn from us, and I was sure they can claim nothing at all comparable to the system instituted by voluntary agencies in this country. The system has this advantage, that it saves a vast amount of money to the Public Exchequer and to local taxation. My hon. Friend who has just spoken talked as if the voluntary system was indebted to the nation, and as if it was rather kind of the nation to concede assistance. In my opinion, on the contrary, the nation is indebted to the voluntary system, eminently so. It is to the nation that millions of money are saved not only in taxation, but in a degree of private effort that no State effort could equal. No one can deny the assistance we receive from the local managers of Board Schools, but this, good as it is, does not equal the vigilance and loving care of benevolent friends towards voluntary schools. Such schools set an excellent example by the spirit they display. My hon. Friend who has just sat down says that these schools are no longer supported by subscriptions.

MR. SYDNEY BUXTON: I said some of them.

*SIR R. TEMPLE: My hon. Friend says some of them are not supported by subscriptions, but that—and that is a remarkable admission from an opponent of the voluntary schools—they manage to carry on the work by fees alone and grants. That is too good to be true, but if they do they have thereby set up the strongest possible ground for the support of the House and the country. Look at the Board Schools. Do they manage to carry on mainly by the fees? The fees in London amount to only one eighth of the total amount expended on elementary education. And yet are the voluntary schools inferior? I am not sure that their average earnings of Government grants do not compare favourably with ours. One remark further in reference to what fell from my right hon. Friend as to the expenditure of the London School Board as compared with other School Boards and voluntary schools generally. I am afraid that the censure of my right hon. Friend, if censure I may call it, mild censure by implication, is, in regard to the London School Board in my humble estimation, too well deserved. The London School Board has always spent too much and is still doing so, spending more than ever. Nobody in this House has stood up in his place more often to defend the conduct of the London School Board than I have, but its finances I cannot altogether defend. For several years from 1884 up to the present time, I have struggled not without success to keep expenditure down, and I shall not cease to struggle; but what I want to point out is that this question does not concern the House of Commons and does not relate to these votes. Whatever offences we commit in the way of financial extravagance does not in any way affect the sum we have to ask the House to vote. That is a question not between the London School Board and the House of Commons, or even between the Board and the Education Department, but between the Board and the ratepayers. If the ratepayers choose to elect a School Board who spend their money right and left they alone are answerable, it is their pockets that will suffer. I thank the House for allowing me to make this statement, and I will resume my seat with this observation—that my right hon. Friend and the Government have shown their wonted sound judgment in allowing a little time to elapse before the Code is re-introduced. We are not afraid of any adverse verdict as affecting the voluntary schools, we are quite confident that the more their work is examined the more splendid it will be found, like fine gold tried in the fire of criticism. At all events it will give my right hon. Friend and the Education Department the opportunity which has not been adequately afforded as yet of really taking the Voluntary School Managers into their confidence. I cannot help thinking that a good deal of trouble would have been avoided if the Education Department had been less reserved. I would entreat my right hon. Friend to consider this matter in consultation with the recognised Authorities of that great voluntary system of which the nation is so justly proud. I am sure they will give him every possible assistance, and he will find that no section in this country is more anxious to promote

that physical, mental, and moral culture that should render the rising generation of Englishmen a wise and understanding people.

*SIR J. LUBBOCK (London University): The hon. Baronet the Vice President, in the closing sentences of his speech, justly insisted on the importance of education for the future happiness and prosperity of the country, and it is very much to be regretted that so little time is devoted to the subject. We hear of a Scotch Session, an Irish Session, and sometimes an English Session; I wish for once we could have an Education Session. What is the position in which we find ourselves? Two very important Royal Commissions have recently investigated the subject—namely, the Technical Instruction Commission, and the Education Commission. They each recommended important changes, and it is most remarkable that in very many points, I might almost say on all educational points in each case, the Commissioners were unanimous. The Technical Education Bill has been promised over and over again, and as often our hopes have been disappointed. I do not blame the Vice President of the Council, it is not his fault, but it is an additional evidence of the need there is that we should have a Minister of Education with a seat in the Cabinet, and then educational questions would receive the attention their importance justly demands. Then again the Education Commission, though divided no doubt on many important points, as was inevitable considering the diversity of views represented, was unanimous or almost unanimous on purely educational questions. Some of their recommendations, though by no means all, were embodied in the New Code. For my part I thank the Vice President for the care he has devoted to the subject, and for the improvements he has introduced, and I regret that the Code has been withdrawn. The objections to it were not educational objections. I think that the hon. Gentleman opposite and the supporters of voluntary schools, who object to the New Code, entertain exaggerated ideas as to the cost which would be involved in the new requirements, and that they underrate the average amount which will be earned under the New Code. It may reasonably be expected that the increased efficiency will secure a larger grant. Of course we must remember that it is in the essence of the existence of voluntary schools that there should be a substantial sum raised by subscriptions. It is a serious misfortune that the Code is to be postponed. Is it not possible, even now that the educational changes, as to which there is no question, should be accepted? They are imperatively required. For instance, the present Code presses unduly on night schools. There is no compulsion in the case of night schools, and the consequence, of course, is that unless they are made interesting and attractive to boys and girls, they will not be attended, and, as a matter of fact, they are lamentably few and far between. Again, the Commissioners were unanimous as to the subjects of instruction which they regarded as essential. They said:—

"The following are the subjects of elementary instruction which we regard as essential, subject to the various qualifications which we have already made: Reading, writing, arithmetic; needlework for girls; linear drawing for boys; singing; English, so as to give the children an adequate knowledge of their mother tongue; English history, taught by means of reading books; geography, especially of the British Empire; lessons on common objects in the lower standards, leading up to a knowledge of elementary science in the higher standards."

That is to say they regarded the four class subjects as they are technically termed—namely, geography, history, English, and elementary science as essential. But the Code only allows two class subjects to be taken, of which English must be one and geography is generally the other. I am aware that there is, for those who know it, a postern door of escape, and they may take class subject as a special subject. But that is a roundabout process and is scarcely ever made use of. Now, what is the result? Out of, say, 20,000 schools only 383 presented any children in history, and only 39 in elementary science. When I mentioned the corresponding figures last year I was told that I must have made a mistake, and I will, therefore, quote the very words of the Report—

"The wider range of class subjects allowed by the Code under the head of 'elementary science' does not appear to be taken advantage of to any great extent at present. The returns show but 39 schools which have taken subjects under this head, while geography has been

taken in 12,035 schools, needlework, by the girls, in 7,137, history in 383, and drawing in 505."

Of course I know that there are schools in which these subjects are taught, though the children are not presented for examination. That, however, strengthens my case, because it shows that as at present constituted the Code discourages the very thing we wish to secure. Schoolmasters naturally consider that the Department wishes children only to take up two class subjects, and they limit themselves accordingly. The London School Board, as the right hon. Baronet the Member for Evesham has often reminded us, has set an excellent example in this respect; they not only teach all four subjects, but went further and took up some of the specific subjects also. They found the results excellent. So far from interfering with the elementary subjects, the variety introduced, the greater interest excited, benefited the reading, writing, and arithmetic. Mr. Rankine reports that—

"In specific subjects this district is pre-eminent. No other district in England approaches it. Over 6,000 scholars were examined last year in specific subjects, The favourite subjects are physiology, domestic economy, and algebra. The children examined passed well in all subjects. The higher the instruction is carried in any school I find the lower work improved in proportion, and better results in reading, writing, and arithmetic are obtained with less pressure. This is, no doubt, owing to cultivation of general intelligence."

The result of the wider education given in German schools is the same. Surely, then, the time has come when every school should be examined in all the four class subjects. I do not mean that in every school they can all as yet be insisted on, but that this is what we should aim at. In the old, I regret that I must now say the present Code, if any class subjects are taken one must be English. The Education Commissioners unanimously recommended that this rule should be withdrawn and the school authorities should be allowed to choose their own class subjects. This the Department has done in the new Code, but then I am sorry to see that in another part of it they introduced a provision that "No school shall receive more than 12s., unless the Inspector reports that the scholars throughout the school are satisfactorily taught repetition as set forth in Schedule II." But repetition is part of the English. This is really therefore taking back with one hand what they have given with the other. I hope my right hon. Friend will see his way to omit this when he reintroduces the Code next year. But could he not even now in accordance with the unanimous recommendations of the Commission remove the provision which makes English compulsory. There is only one other subject on which I should wish to say a word before I sit down. Our elementary school system in the case of boys is altogether a training for the brain, I might almost say of the memory; there is nothing which tends to give a command of the hand and eye. In the case of girls, of course there is needlework, but we have nothing of the same sort for boys. The experience of the Slojd system in Sweden, and of other foreign schools, I might add, I think, of our London School Board, shows that there is really no difficulty in the matter, though, of course, it can only be introduced by degrees; and I hope that when my right hon. Friend is reconsidering his Code he will introduce provisions, not of course as yet requiring, but encouraging the introduction of manual training into our elementary schools—not intended as a preparation for any particular handicraft—but to give control over the hand and eye. I believe, and I speak from some little experience in this matter, that such lessons would be very popular with the boys, and that would in itself be a great recommendation. I am convinced also that it would have a good effect on the purely literary studies. We often hear of the importance of teaching children to read with expression, but what is much more important, is that they should read with ease. This can only be acquired with practice; and people only read much, if they have been taught to enjoy it. The cardinal mistake that we have made has, I venture to think, been that our object has been to teach as much as possible, instead of endeavouring to make the process pleasant so that the children might wish to learn, and might teach themselves. What children learn for themselves is far more valuable than what they are taught. The changes to which I have called attention, which were unani-

mously recommended by the Commission, and which would not, I believe, be seriously contested in this House, would leave more freedom to school managers, would encourage and promote continuation schools, and would render our system more practical and more interesting to the children. The weakness of our present system is the absence of interest, and consequently of the wish for continuation schools, so that too often the children forget what they have so laboriously learnt. If, on the other hand, we can but enable them to realise the delightful and inexhaustible fund of interest and enjoyment to be derived from books, and still more from Nature herself, then indeed we shall need no compulsion, our schools and our libraries will be full, and the prisons and public-houses comparatively empty.

*MR. STANLEY LEIGHTON (Shropshire, Oswestry): We all agree with the hon. Baronet in wishing that more attention should be paid to education in the House, but I think the state of the House during this Debate will hardly encourage the Government to give us many more Bank Holidays for the discussion. Now, when I listened to the speech of my hon. Friend the Vice President, I thought that the Chief of the Education Department ought to be the most popular man in the country, for he described himself as the most generous of givers of public money, and that the Department must be the model Department in the Government, for he described it in glowing terms of praise. I hope I will not throw any discord into this discussion, if to a certain extent I criticise both the speech of the Vice President of the Council and the conduct of the Department. I have just presented a Petition, signed by 20,000 persons, who complain of the way in which the education of this great country is managed. The Petition is from managers, and parents who send their children to school, both voluntary schools and Board schools, and what do the petitioners ask for? For the relief and encouragement of voluntary schools. They think that the voluntary system is unfairly treated at the present time by the Department. They think that the policy of the Department is and has been for many years a standstill policy, and that there is a great deal of inefficiency in the way in which the business of the Department is carried on. If the complaints of the petitioners are well-founded no Government, whether it be Liberal or Conservative, can afford to overlook or to neglect them. Who make the complaints? Not reactionaries, not men who have hindered the cause of education, but men who have stood in the forefront of the educational movement for the last 50 years, men who show their interest in the education of the poor by annual subscriptions to the amount of three-fourths of a million sterling, by invested capital in schools and school plant of the value of £30,000,000; men who, without any assistance from the rates, are now managing the schools which contain more than half of the school children of England. What will be the cost to the country of extinguishing these schools? It will be many millions sterling a year, and £30,000,000 down. Who do these schools belong to? They belong to all religious denominations, to the Church of England, Methodists, Independents, Baptists, Wesleyans, Roman Catholics, and to Jews; their watchword is "freedom of religious education." The English people are essentially a religious people; I do not think any one will be found to deny that, notwithstanding the activity of the Secularist party in the House of Commons. The managers of voluntary schools believe that there is if not an intention, at all events a tendency in the action of the Education Department to violate the concordat with Mr. Forster. Everyone will allow that moral training is at the root of sound training, and that the foundation of moral training is religion. When men begin by eliminating religion they often end by obliterating morality. In the new Code there are no instructions whatever to the Inspectors to report on moral training; yet the Royal Commission declare that it should be the first duty of the Inspectors to report on moral training, and to impress on teachers, managers, and children the primary importance of that essential element of all education. The members of the Royal Commission may well say, "Who has read our Report?" They are like men crying in the wilderness; the Department seems to have

paid no attention to their recommendations. "Accuracy of knowledge" is one of the points upon which the Commission suggest that the Inspectors should report upon. Will it be believed that during the 20 years the Department have never succeeded in giving an authoritative definition of "elementary education?" The idea of elementary education changes with the Code, and there is no limit to the number of Codes. There must be some mental confusion at the Education Department or they would not have gone on without defining the education which is to be paid for out of the rates and taxes. This mental confusion seems to prevail throughout, for no classification of schools has been arrived at. Neither in the time of the right hon. Gentleman nor of his predecessor (Mr. Mundella), and between them they had held office for 10 years, no attempt has been made to distinguish between schools under different conditions, and to treat them according to their circumstances. What has been done for the poor urban voluntary school—that school which is of such great advantage socially and religiously? Simply nothing. Then we come to the small rural schools, of which there are 4,000, whose attendance is less than 60. What has been done for them? Nothing, or hardly anything during the time of my right hon. Friend opposite, or my right hon. Friend the present Vice President. All that has been proposed is that they should be compelled to provide a much larger staff and should have the inadequate compensation of £10, which would in no way cover the increased expense. Every one who knows anything of schools in country places will admit that if the cause of education is to be advanced, these schools should be assisted by a special grant towards the staff. Again, voluntary schools are unfairly treated by their enforced association with pauperism. In the case of Board Schools parents unable to pay school fees get them remitted without difficulty, but in the case of voluntary schools a parent has to go to the Board of Guardians and submit to all the unpleasantnesses of pauperism before his fees are remitted. The right hon. Gentleman has now been three years in office, but no change has yet been made as regards the hardship to which voluntary schools are subject in having to pay rates while night and Sunday schools are exempt. Now, I wish to make it quite clear that the complaint which I now make is rather against the policy of the Department than against the right hon. Gentleman personally. The policy inaugurated by the right hon. Gentleman the Member for the Brightside Division of Sheffield still governs the Department in every respect. We remember the struggle we had with him on the matter of overpressure. Although personally a man of kindly good nature, yet we found the right hon. Gentleman was killing two or three children every month. It was only by bringing forward case after case and making the public fully aware of what was going on that we were able to get any relief. We all remember the famous Report of Sir Creighton Browne on overpressure, which the late Vice President tried to suppress. We have to a certain extent corrected the evils of overpressure, but still the salaries of the masters are dependent upon grants, and that is the fruitful source of the danger. We hope the hon. Gentleman will make the salaries of the masters not so much dependent on the grants as they are at present. The chaos in which the right hon. Gentleman opposite left the Department compelled the Government to appoint a Royal Commission on Education, and though that Commission has reported, that Report unfortunately has not yet been acted upon. I would appeal to my right hon. Friend to effect reforms in the conduct of his own Department. There is a want of confidence in that Department, and that is shown by the rejection and withdrawal of the Code — a want of confidence that I can assure him is very widespread. The Inspectors require to be inspected. There is great difficulty in getting rid of a bad Inspector, who may cause terror to a whole district. The other day I brought to the notice of my right hon. Friend what appeared to be a case of untrustworthiness in an Inspector, and told him he would find that other complaints against this Inspector had been made. My right hon. Friend said he could find nothing to confirm the statement that the removal of the gentleman from one district to another was due to any misconduct,

that anything was known of his antecedents at the place I mentioned. But the fact was that the gentleman was cast in damages and costs in the County Court for striking a boy with a book in the course of an examination. I am not blaming my right hon. Friend, but I mention this incident to indicate that the Department is not as well managed and as well manned as it ought to be. And now I wish to point out how the creation of new precedents which has been going on from time to time by the Department has led to the invariable injury of voluntary schools. Those who know the rules and methods by which the Education Act is worked know that School Boards have the right of appealing to the Department to obtain compulsory powers to purchase sites for schools, and it is right that they should have this power. But the School Boards have not the right to compulsorily acquire the sites of voluntary schools, for these are guarded by the 23rd section of the Education Act, and this has been recognised by the Depart ment until last year when they attempted a new departure, and to apply the compulsory powers of the Lands Clauses Consolidation Act to force a voluntary school to sell its site to a School Board. Now, a new practice such as this is contrary to the concordat of Mr. W. E. Forster, and would, if allowed, lead to the effacement of voluntary schools. The case I refer to is known as the Middleton St. George case. Next I wish to call attention to a matter about which I asked a question this evening, and received a rather unsatisfactory answer. The method laid down in the Code as the basis for measuring the accommodation in voluntary schools is eight square feet per child. This has invariably been adopted. Article 96 and Note of the Code directs that "eight square feet of internal area for each unit of average attendance" shall be the basis adopted, and the principle hitherto acted upon by the Department is that voluntary schools shall not be touched by the 10 square feet basis, and that in case of schools which have been passed by the Department for a certain number of children the arrangement shall not be disturbed. But the other day at Luton, in order to give a defence for the enlargement of the Board School, a voluntary school was, for the first time, measured on the basis of 10 square feet instead of eight, and the Vice-President said that voluntary schools would be measured on that basis.

*SIR W. HART DYKE: I am sorry to interrupt my hon. Friend, but I am afraid I did not make myself understood in the latter part of my reply. I did state that there were other cases.

*MR. STANLEY LEIGHTON: I would ask my right hon. Friend to give me other instances. I am informed that there is no case precisely parallel to this Luton case. I believe this is the first case during the 19 years the Education Act has been in force in which 10 square feet measurement has been adopted in calculating the accommodation of a voluntary school. What I want to point out is the somewhat unfair spirit in which the Education Act is worked by the Department against the voluntary schools, and I appeal to my right hon. Friend to remove the unfairness. We who are interested in voluntary schools cannot but be dissatisfied with the partiality which reigns in the Department. The voice of the Education Department is the voice of my right hon. Friend, but the hand is the hand of his predecessor, and the head that conceives these new principles seems to be that of the ingenious chief of the Department.

MR. MOLLOY (King's County, Birr): Like the hon. Gentleman who has just spoken, I have always been a strong supporter of the voluntary system, and I wish the right hon. Gentleman had devoted some of his time to dealing with what, after all, is the real question before us, rather than have gone into the mass of details he did. The right hon. Gentleman asked for some explanation of the causes of the opposition to the New Code now put off to next year, and some hon. Members on the other side have given explanations. Whether they are the whole or only part of their explanations I do not know, but I will tell him very distinctly why I put down notice of opposition. It was this. I felt that the Code raised questions as between voluntary and Board Schools, which under the conditions and at the time of the Session could not be debated with any good result. Further, I looked upon the Code as merely a compromise. When the

Royal Commission issued their Report, if the Government with their big majority between them had had the courage to carry the recommendations of the Commission into legislation they could have done a very great deal of good, and all parties might have been satisfied. But the Government allowed three years to pass, and then introduced the Code as a compromise only dealing with details of the proposed changes. The result appears to me to be that all hope of this Report of the Royal Commission being carried out has long passed. I do not myself see how the hopes expressed in that Report, and by those of us who sat on the Commission will ever be carried out by the present Government. I myself wish sincerely the Government had acted at once upon the report of the Royal Commission and carried out their own intentions, which were, to all intents and purposes, the intentions of the Royal Commission, for they had their majority on the Commission. I regret exceedingly they did not do so and effect a settlement of the question which was possible then but which, I believe, is utterly impossible now. We have gone a very long way beyond that Report. The very fact that the Report has been considered and discussed throughout the length and breadth of the country, and discussed by all educationalists, has made it impossible that the scheme which really underlies the Report can be carried out. The right hon. Gentleman was afraid of outside opinion and of a section of his own followers perhaps, but from whatever course it may be, the golden opportunity has been missed, and we must now seek for a settlement of the question upon a basis entirely different from that which we had formerly hoped for. I think there is nothing more dangerous to the cause of education than that it should become a Party and political question, but a Party and political question it is fast becoming, and is now far more than it was three years ago. Free education is now a plank in a political platform, and we have seen the principle carried out in Scotch legislation. I have come to the conclusion that supporters of both voluntary and School Board systems must be prepared to accept free education, compulsory education, education up to a standard and inspection. We shall have to accept nearly all that is accepted in Board Schools. I will go further and say this, that I think the result in the very near future will be that the whole system of education in the country will have to be under a system of Board Schools. Of course it will be impossible for voluntary schools to pass under Board School management under existing conditions; there must be a compromise on both sides, there must be a "give and take," and I am satisfied that a fair and honest compromise between the voluntary and the School Board systems can be effected. I, for one, do not fear it. The difficulty, of course—the main difficulty, and I speak more especially for those of my own creed, is that in accepting what the Board Schools demand we could not accept any system that would introduce into our schools a system of proselytism. We must find a system of compromise with the School Board system that will enable us to live together and carry on our educational system without injury or annoyance to either side. I certainly would have preferred the carrying out of the original system, but that is impossible; we have been driven into the position in which we find ourselves. I suppose there would have been considerable difference of opinion among those who support the voluntary system, and I think that difference of opinion will be to their injury; but they must blame themselves for the position in which they find themselves. I think a good deal of it has arisen from the fact that in some of the voluntary schools the political element has been introduced, more especially in some of the country schools. That accusation has been made against them, and whether it is true or not, we find ourselves in the present difficulty. The right hon. Gentleman has asked us to give him our views upon it, and I give him my view most willingly, for I know the interest he takes in the subject. These are the views I hold, and I believe that a compromise may be effected, that we may take this question, once for all, out of the political arena, and devote ourselves to the interests of education apart from every other consideration.

MR. HANDEL COSSHAM (Bristol, E.): It is impossible to overrate the

importance of the speech to which we have just listened. It indicates a policy with which I have the greatest sympathy, and frankly expresses views I have long entertained on the education question. I hope the importance of the subject may not be measured by the attendance of Members; for, indeed, I think it is impossible for the House of Commons to be engaged in a more important discussion, one that has a more important bearing on the future of this country. It is one of the most important considerations that meet us in relation to this great problem, that there are still a million of children not reached by our educational machinery, and we have to find a means of reaching these children; for it is from these largely that our criminal classes and our drunkards and many evils of society spring. I have listened with intense interest to the discussion, and I cannot help thinking that those who look at this subject from a voluntary point of view shut their eyes to facts that nevertheless they will have to encounter. It is not for the advantage of the country that three-quarters of a million in grants of public money should be placed in the hands of those who promote education merely as a means to sectarian influence. It is against the extension of this sectarian influence we protest and have to fight. We have had strong illustrations of this. The Technical Instruction Bill would have passed but for the opposition of voluntary schools, chiefly due to clerical influence. I am one of those who think that we shall never reach our educational requirements until we have compulsion in a much stronger form; but the country will never allow compulsion to be exercised by a self-elected body such as the managers of voluntary schools are. We are rapidly tending towards free education, and I only wish that in our own Local Government Bill we had been as wise as our northern friends in devoting the relief of local taxation to that purpose. I congratulate our Scotch friends on their success in this direction, and I am sure that the advantages of the principle cannot long be controlled by a geographical boundary. While I listened to the statement of the Vice President, I could not help noticing the fact that while expenditure for educational purposes is growing, subscriptions for the voluntary system are declining, and this, I think, clearly indicates that those who talk so much about the voluntary system do not make much impression in respect to it. But I do not wish to introduce more discord, though I cannot but express my belief that the clerical desire to keep control over education has checked the progress of education in this country. Long ago we should have had a really national system if we had had less of the clerical fingers upon the educational springs of the country. I listened with delight to the speech just delivered. It came from one who represents a section of Christians not supposed to have the most broad and liberal views, and, coming from the hon. Gentleman, it is a finger-post that indicates the road that the Education Department would do well to follow; and I am sure we shall all have cause to rejoice at the advantages it will bring to the nation.

MR. CALDWELL (Glasgow, St. Rollox): I find that whilst there are 16·4 per cent of the population on the school registers in England, there are 15·9 per cent of the population on the school registers in Scotland—taking the year 1887—and the average attendance per population in England is 12·9 per cent of the population, as against 12·4 per cent in Scotland. Then again, in regard to the annual inspection, we find that a larger number of children are present at the annual inspection in England as compared with Scotland, and the results are, therefore, very creditable to England, the population of which is undoubtedly in advance of Scotland, both as regards the number of children on the school registers, the number in average attendance, and the number presented for inspection. Of course the attendances in the higher standards are larger in Scotland than in England, but then in England the compulsory standard is the Fourth Standard, while in Scotland the compulsory standard is the fifth. Again, in Scotland no child is allowed to work in a factory until it attains the age of 13 years, and that restriction does not apply in England. Again, in Scotland no child is allowed to pass from school until it has either passed the Fifth Standard or is fourteen years of age. It is quite evident, therefore, that you have superior educational results in Scotland as compared with England. In England

you have, to begin with, a higher number of children on the school register, and what you want now is to bring up your educational standard. That is only to be accomplished by England following the lead of Scotland in making the fifth the compulsory standard, in preventing children under 13 working in factories, and in making the compulsory school age 14 years. There is less difficulty in raising the standard in England, because there a child goes earlier to school than in Scotland. In Scotland 3 per cent of the children go to school under seven years of age; in England 5 per cent are under seven. Now, I say there is no practical difficulty in making the compulsory standard in England the same as in Scotland, and I venture to think if this were done we should in a year or two have educational results in England far surpassing those obtained in Scotland. Another fact to be borne in mind is that in Scotland the Board Schools combine elementary with secondary education. I will cite the case of the City of Glasgow in order to show the extraordinary result of this system. According to the Report of the Education Department it is expected that one in every seven of the children at school will be found in private schools. Therefore, of the 84,000 school children in Glasgow, 12,000 ought to be found in private schools. But the result of the educational system prevailing in Scotland is that there are only 4,000 children in Glasgow in schools where the fees are above 9d. a week, and 2,500 of these are in public schools, so that there are only 1,500 children whose parents may be said to pay for education without assistance, and even that 1,500 includes children brought into Glasgow from the country in order to get the benefit of the better education to be obtained there. In fact, the class of children who attend secondary schools in England are in Scotland to be found in the Board Schools. You have an enormous proportion of the better class children who go up to Standard VI., and who, by taking specific subjects, are capable of earning the higher grant. In conclusion, I would again urge that by raising the compulsory standard and the school age in England you would secure educational results superior not only to those obtained in Scotland, but superior also to the results obtained in any country.

Mr. Caldwell

Sir HENRY ROSCOE (Manchester, S.): The small attendance this evening is not very encouraging, but we ought to remember that this is the 5th of August, and to-day there are attractions which draw Members away from this House. I think if we could induce the Government to bring on the Education Estimate at an earlier date next Session, we might have a larger attendance of Members for a discussion of so important a character. I join my hon. Friend the Member for London University in regretting that the Government were forced to withdraw the New Code, for it seemed to me it was a real step in advance. We have already given Scotland educational measures of the highest importance. Wales has been given a Bill providing for intermediate education, which, I trust, will prove an enormous improvement; and now I ask how long are we in England to wait? Are we so advanced in our education that we can afford to let other countries get ahead of us? It is a matter of the deepest regret to all friends of education that in consequence of outside pressure this Code, which promised so much, had to be withdrawn by the Government. I speak feelingly on the subject, for the same influences, I fear, also acted detrimentally to the Technical Education Bill, which I had the honour to introduce to this House. It is much to be regretted that this has been so, for those who have had the opportunity and advantage of seeing what is done in Continental countries in this respect will, I think, agree that we in England are behindhand, and that it is imperative we should put our shoulders to the wheel and improve our educational system if we are to succeed in the competition with other nations. Even at this late period of the Session something might be done in the direction suggested by the hon. Baronet the Member for London University, and surely it is possible to take into consideration some of these matters which are non-contentious. The questions of drawing and manual exercise are matters of the gravest importance to our national system of education, and seeing to what a large extent they are introduced in continental countries, I think we may assume they are equally necessary in this country for the proper edu-

cation of our children. I wish in the most earnest manner to impress upon the Vice President the great importance of now dealing with these matters. Our present system of elementary education requires to be made more practical and to partake less of the character of book work. I trust that this subject will more and more engage the attention of the country, and I repeat that I think it it most unfortunate that this matter should have been postponed to the fag end of the Session when our forces are somewhat exhausted. I hope the educational debate will take place earlier next Session.

MR. W. F. LAWRENCE (Liverpool, Abercromby): I have the honour of representing a city which stands well forward in the matter of education, and I have the best authority for saying that there they do not in the least regret the withdrawal of the Code. On the contrary they quite approve it, because they hold that a Code which proposes to introduce such radical changes requires at least six months' reflection before it can be adopted by the House. It is not a light matter to introduce a change which would be so widespread in its effects. In Liverpool, the School Board and the voluntary systems have worked harmoniously together, and I should regret to see the voluntary system cease to be one of the leading factors in our educational system. I hold in my hands a memorandum from the Liverpool Elementary School Managers Conference, which practically embraces all the managers of the City of Liverpool, in which they say they believe it is most desirable that the limit to which so much reference has been made should be removed, and in which also they recommend that the suggestions of the Royal Commission as to the rates levied on schools should also be acted upon. The hon. Member who last spoke seems to feel great regret that his Bill has not been allowed to pass this Session; but if he will examine it more closely, I think he will allow that it is distinctly one-sided, and while it may do a great deal for the advantage of education, it will also do a great deal of harm to the voluntary system, which most of us are determined shall go hand in hand with the School Board system. It is therefore rather hard that the hon. Member should thus criticise our action, seeing that while we are anxious to promote the cause of education we are also anxious that justice shall be done to a system which has hitherto worked with so much success. At this time of the night it is unnecessary for me to enter into the various questions raised by this Code. I had intended in a few days to bring under the notice of my right hon. Friend the important question of cookery. I believe the Liverpool people are much interested in this branch of female education, and I desire to ask the Vice President if he is willing to extend to England the advantages which the Scotch enjoy in this matter? In English night schools, before a pupil can earn a grant, it must put in an attendance of 40 hours, but in Scotland a child attending the class 24 hours earns a grant of 4s. I think it is practically impossible for a hard working girl—who spends the day in manual labour—to give as much as 40 hours attendance, and a modification such as I have suggested would, I am sure, be much appreciated and work well.

*MR. MATHER (Lancashire, Gorton): I am glad to hear that the hon. Member's ardour in educational matters is not confined to a desire to promote voluntary education. I am sure on this side of the House we have no desire to say a word against voluntary schools. So far as they exist for the purpose of promoting education in its truest and best sense, we desire they should have the benefit to be derived under the New Code, but in order that they should be reckoned amongst the great educational institutions of the country, their efficiency must be equal to that of the Board Schools, and they must be judged by the measure in which they contribute to the education of the people generally. I think this Debate has taken place at an unfortunate moment, and I hold that the right hon. Gentleman the Vice President of the Council on Education deserves our sympathy. We have had testimony of the earnestness which he brings to bear on these questions, and I think some efforts might have been made to render this Debate more worthy of the subject we are discussing by selecting a day when hon. Members could have attended in greater number. The hon. Member for Liverpool has alluded to the action of the hon. Member for Manchester City, in regard to his Technical

Education Bill, and has rather blamed him for not having introduced a measure which commanded assent from both sides of the House; but if the hon. Member had followed the fortunes of this Bill I think he would have seen it was shipwrecked on the ground that it could not be made satisfactory to some hon. Members opposite who have the greatest power with the Government in directing educational matters. The hon. Member perhaps forgets that a distinguished Member of the Party opposite proposed certain Amendments to the Bill.

THE CHAIRMAN: Order, order!

*MR. MATHER: I presume, Sir, I am not in order in further referring to this Bill, but I would suggest that the failure to pass it is not the fault of the hon. Member for Manchester. Now although we are nominally discussing the Education Estimates we are really discussing the New Code, and the right hon. Gentleman has invited an expression of opinion to-day in order that the subject may come before the House next Session in a complete form and then receive the assent of Parliament. Now I believe that in our elementary schools throughout the country there is accommodation for more than five million children, and the important question we are now discussing is what subjects and methods of instruction shall be hereafter adopted in these schools. We must bear in mind that the use of our school system is unhappily almost confined to what we may call the working classes, and it is therefore most important that the subjects and methods adopted in them should be suitable to cultivate the intelligence, the aptitude, and the thinking powers of the children for their own future advantage and the good of the nation. In my opinion, we do not now get from the schools results that are adequate to the requirements of the country. We have not for the last 20 years had the plan of instruction which is best capable of developing the capacities of the children and preparing them for their future duties in life. In Germany, France, and America you will find an entirely different system of education. There all classes are educated together; the schools are usually supported by the State, and the education, from the lowest to the highest, is available for every class in the community. Anyone looking at our curriculum will, I am sure, admit that we have not been sufficiently practical in our methods. Happily, at last we have introduced the Kindergarten system into our infant schools, and that has, undoubtedly, pointed the way towards the introduction of a similar system into our higher grade schools. Manual training ought to be combined with class subjects; and experience shows that children who have had the former kind of teaching are able to excel in the class subjects prescribed by the Education Department those children who have devoted their whole time to those subjects. Wherever manual elements are introduced into elementary education — wherever drawing is taught at an early age and continued up to 13 or 14, and is also associated with workshop training, the children have been found far more apt in all the essentials of education than those who had not had such privileges. I trust that the right hon. Gentleman will well consider this matter, and see if he cannot improve the Code in this respect. This is not a Party question. I recognise fully the desire of hon. Gentlemen opposite to promote the cause of education in this country. I believe they are as earnest as hon. Members on this side of the House; but we can no longer ignore the fact that in the future we can only hope to hold our own among the nations of the world by securing the increased intelligence of our people, and developing our intellectual resources. In England we have natural resources superior to those of all the other nations of the world; and we only require to combine with those resources an education fitted to make our working classes a thinking, intelligent, and sober people, in order to hold in future a position higher even than that which we now possess. A little while ago we were engaged in discussing the Government proposals to spend a large sum of money on Naval defence. Well, many of us think the intelligence of our people is our first line of defence, and some of the money might be better spent on the education of the children of our working classes, with a view to enabling them to make the best use of the resources with which bounteous nature has endowed us, and thereby ensuring still greater pros-

perity for this country in the future When the Government come forward next Session with their new Code and their other proposals relating to education, I trust that, as the question is not a Party one, we shall all unite with one accord in endeavouring to bring our educational system into harmony with the wants of the age and the requirements of the nation.

MR. JOHN G. TALBOT (Oxford University): The speech we have just listened to is, I think, a satisfactory exemplification of the tone of this Debate; but, unfortunately, when we come to practical conclusions we do not always agree as to the method in which the principles to which we give expression should be carried into effect. It is easy enough in this House to lay down a more or less sound theory as to the principles on which education should be conducted, and say that it ought not to be treated as a Party question. No one echoes that sentiment more than I do; but when hon. Gentlemen on this side of the House come forward and ask that that sentiment may be carried into practice, and that no Party consideration shall prevent even-handed justice from being dealt out to them, they suddenly find all the forces of the Party to which they do not belong mustered together against them, and any concession to what is called the voluntary principle is immediately denounced in this House, and by the more powerful agencies outside of it. I hope that this will be an exception to the general rule, and that when this question comes to be more fully and more completely considered by my right hon. Friend and the officers of his Department, they will be able to assure us that it will continue to be conducted on the lines I have laid down. It must never be forgotten that education in this country has had a remarkable history. Like almost all of our great institutions, it was first brought to the front by voluntary agency, and at a time when the School Boards were not in an active state of existence, the voluntary principle was perfectly alive. Lately, emphasis has been laid on the fact that religion should be made the foundation of all education in this country. The advocates of voluntaryism do not, however, go the length of asking that religious and voluntary principles should be made the foundation of education; but they contend that the system inaugurated in 1870 was intended to supplement and not to supplant, and should be maintained in its efficiency and integrity, at the same time not forgetting the important service which has been rendered by the voluntary principle to the cause of education. Our action, therefore, has been based on a conviction that we are bound by the traditions which we value, and by the interests which we represent, to see that in the new Code, which we believe to be a great and new departure, the interests of voluntary schools shall not be allowed to suffer, and that fair play shall be extended to both sides. That principle underlies the action we took upon the question of technical education. We value technical education as much as anyone, but we were determined that in this matter all the schools should be placed on an equality. And now, having made these few preliminary remarks, I ask the permission of the House to say a word or two in reference to the recommendations of the Royal Commission on Education. I acknowledge, Mr. Chairman, that you have been very indulgent to us to-night, for, although we are apparently discussing the Education Estimates, we have been permitted to refer to the Code which has been withdrawn, and I am afraid that the right hon. Gentleman who opened the Debate set us the first example in this matter. One of the points on which the Education Commission laid particular stress was the question of transfer schools, and in regard to that the Commissioners said—

"That in any fresh educational legislation it should be enacted that no transfer of a school held under trust should take place without the consent of a majority of the trustees, and that the Department should not sanction such terms of transfer as interfere with the original trust beyond what is required for the purpose of the Education Acts, and that provision should be made that no structural expenses involving a loan should be incurred without the consent of the trustees who lease the building."

This is the point on which, if I may venture to say so, I think my right hon. Friend should take care that in any further legislation on this subject, whether by Code or by law, due security is provided. A great deal of complaint has been made in the past that voluntary schools have been transferred to School Boards by the mere *fiat* of a temporary

Board of Managers, and that the consent of the Trustees has neither been asked for nor given to the transfer. That seems to me to be a very inequitable state of things, and hence it received the attention of the Education Commissioners. Another point as to which I would like to say a word or two arises upon the recommendation of the Commissioners as to the limits of primary and secondary education. On this point the Report says—

"That, as the meaning and limits of the term 'elementary' have not been defined in the Education Acts, nor by any judicial or authoritative interpretation, but depend only upon the annual Codes of the Department on whose power of framing such Codes no limit has hitherto been imposed, it would appear to be of absolute necessity that some definition of the instruction to be paid for out of the rates and taxes should be put forth by the Legislature. Until this is done, the limits of primary and secondary education cannot be defined."

No doubt there is a certain amount of restlessness on the part of hon. Gentlemen on both sides of the House on this subject of education. They are never satisfied, and possibly they ought not to be satisfied; they ought always to be trying to get something better. At the same time, I think they ought to remember that, excellent and admirable as education is, there is a limit to the public purse, and representing, as we do, the taxpayers of the country, we should bear in mind that, however desirable it may be that the children of any class should have a thoroughly good education, too much ought not to be done at the public expense. I remember that some years ago I was very much struck by a remark made by a right hon. Gentleman, whose death this House has so much cause to deplore—I mean Mr. John Bright—who said that, for his part, elementary education meant giving a child the power of reading intelligently, of writing a good hand, and of adding up simple sums. Some people think there ought not to be any limit to the instruction in our schools. They would not only provide technical education, but they would teach Latin and French, and would go on, until they had adopted practically the curriculum in force at Eton, at Harrow, or at Winchester. I say, let the people face this question. I do not represent a popular constituency, but many hon. Gentlemen do, and I would suggest that they should ascertain what is the feeling of their constituents on this matter. Now, Sir, there is another subject on which I would say a word or two. I find a recommendation of the Royal Commission points out—

"The necessity for having some form of evening school for the purpose of fixing and making permanent the day school instruction, and that it would be worth the while of the State to spend more money on such schools."

That, I think, is a reasonable and logical suggestion. The great difficulty is, that the children when they leave the elementary schools are apt to forget what they have learnt, and I should be very glad to see if something could be done in the way of establishing evening schools which would give permanency to the day school instruction. Now, Sir, I have been challenged sometimes to say what it is we want in the way of additional assistance. We have been told that we are very unreasonable not to rest content with what we obtained in the Code; but if I may sum up in a very few words what we want and what we did not get under the new Code, it is simply this: Additional burdens were laid on the voluntary schools; but while you put those burdens upon them you did not provide the additional income which was necessary in order to meet the extra requirements, and I think we, at any rate, had a right to expect that something would be done in that direction. I shall be rather surprised if my right hon. Friend contradicts me when I say I do not imagine he has made any provision in his Budget this year for an increased grant for elementary education. I should be very glad if he could assure us he would do so next year. Until I get a positive assurance from the Government that we may get a little more grant from the Government, I shall remain of opinion, that whilst the burdens are proposed to be increased, the means of meeting those burdens are not intended to be proportionately increased. We ask for additional assistance to enable us to meet the additional burdens which are to be thrown upon us. It does not seem to be unreasonable to raise the 17s. 6d. limit to 20s., as proposed by the Commission, any more than it was to raise the 15s. limit to 17s. 6d. We be-

lieve the 20s. now represents half the present cost of the education. I do not think, then, that our request is an unreasonable one, although it is a very undue favour to ask for the voluntary schools. I am aware that, in regard to the Board schools, it is only a question of putting your hand into one pocket or the other; but I am sure the managers of the Board schools are anxious to keep down their expenses as much as possible, and would be glad to have this increased grant. What I ask for the voluntary schools, I am ready also to concede to the Board schools. As to the rating of the schools, the strong argument which has been advanced is that this House is already committed to the principle of exemption in the case of the Sunday and ragged schools, and it seems almost unfair that whilst excepting them you should not except ordinary schools which give education on all days of the week. There is one other matter on which I should like to ask my right hon. Friend's attention. There is a very sore feeling on the part of a limited number of the older teachers of this country, and I think if my right hon. Friend can remove that sore feeling he will be doing a very charitable and wise act. Lord Lingen, who was Secretary to the Education Department in 1869, and afterwards, for several years, Secretary to the Treasury, says he did not know of the exclusion of the two classes of teachers I refer to from the benefits of the pension system. The contention is that many persons were induced to become pupil teachers, and many others were in training at the Training Colleges in May, 1862, on the strength of the old pension system, and that these have a claim to share in the pensions. I say that these persons, and those who were engaged between 1846 and 1851, have a very strong moral claim upon the bounty of the State; and I do think that if Parliament would make up its mind to accede to that claim, it would be a real act of bounty to these persons, and an act of advantage to the schools in which they are serving, as it is obvious that persons of this age must have given the best of their strength to the work, and it would be better if they were allowed to retire. I thank the Committee for having listened so patiently to what I am afraid has been a rather disconnected address. I will only say, in conclusion, that I think I can assure my right hon. Friend, if I know anything of those with whom I have the honour of acting on this side of the House, that any proposals he may make in an Educational Act next year will be received by us with every desire to co-operate with him in the great work in which we are engaged. We do not yield one jot to hon. Members opposite in our desire to promote the true education of the country; but we say that, representing to some considerable extent the voluntary schools of the country, we are determined that by no act of ours shall the voluntary system suffer.

*MR. G. DIXON (Birmingham, Edgbaston): I have been waiting to hear from hon. Gentlemen opposite what their reasons were for attempting to delay the passing of the New Code. We now know accurately and definitely, from perhaps the greatest authority in this House, what those reasons are. The hon. Member for the University of Oxford (Mr. Talbot) has told us that the objection to the New Code is mainly, if not exclusively, that it calls for greater efficiency on the part of the voluntary schools and, at the same time, it does not provide for them a larger amount of grant. The hon. Member for Shropshire (Mr. Stanley Leighton) told us earlier in the evening that there had been on the part of the upholders of the Board Schools a violation of the Concordat of 1870. Now, one thing perfectly clear from the Debates at that time, and the principles upon which the Education Act was based, was that whilst every consideration should be given to existing voluntary schools, and the grants to those schools should be increased in order that they might meet the demand for better education, in no case was the grant made from Imperial resources to exceed the amount levied in the locality of the school. No doubt in some cases this grant was to exceed half, but that was merely because some of the schools were extremely poor, and the limit was made of 17s. 6d.; beyond that limit the grant was not to exceed half of the entire cost of the school. But what becomes of the Concordat of 1870 if we are to acquiesce in the demand of the hon. Member for Oxford, and to give grants to the

schools beyond that which they levy in the localities? It has been said that the poor schools in agricultural districts would receive greater grants under the New Code, but the complaint made is that voluntary schools in large towns are not to be benefited. But what is the condition of the schools in the large towns which require assistance and in whose interest a valuable Code is to be suspended? These are the schools almost invariably without any contribution, or at any rate with a mere minimum of contributions from so-called subscribers. I am speaking that which I know, because as Chairman of the Birmingham School Board I am well acquainted with voluntary schools. It has been the Board's policy to treat them with every possible consideration. For years past many of these schools have not had the funds required to carry them on, and special efforts to obtain increased subscriptions have not been attended with success. It was supposed at last that the remedy would be a general subscription amongst all the voluntaryists in the whole district to help the poor schools. Yet the schools remain as before, and the contributions are so small that we are expecting continually that some of them will fall through. Depend upon it that if the proposals of the hon. Gentlemen opposite are to be carried out, and whenever the funds of these poor voluntary schools fall short they are to be made up out of the Exchequer, there will be a principle established which the majority of the people of the country will not approve of. We have been told that, while the contributions to these schools have fallen off, the number of scholars attending them has increased. It has been said to-night that there has been a decrease of £30,000 in the annual contributions to voluntary schools during the last 10 years. But, supposing you act on the principle suggested by the hon. Gentleman, and when these schools are in difficulties you, because they are religious schools, give them a grant from the Exchequer, do you think the voluntary contributions would increase? No, they would diminish still more, and you would have to come forward with larger and larger sums to meet the falling off of the voluntary contributions. Let me remind the House and the country that these voluntary schools, for which so much is said, and in order to assist which they have upset this valuable Code, are not equal to the Board Schools. They are far inferior. We have been told that the voluntary schools must be nearly equal, because the grant is nearly equal. But every expert knows perfectly well that, in this respect, the grant is no guide whatever. It was one of the grievances of the hon. Member for Shropshire that the new Code was to require more space per child; and that simply means that the voluntary schools do not provide that amount of cubic space for scholars which the Department thinks necessary. In fact many of the schools are too crowded, and are, therefore, in an insanitary condition, which is a serious hindrance to their educational work, as well as an injury to the health of the children. That is not all; the kind of education given in these schools is necessarily very inferior. I do not complain. I have never ceased, from the time I took an interest in elementary education, to say as much as I possibly could in honour of and to show my esteem for what had been done by the voluntaryists up to the passing of the Education Act. But because I honour them for what they have done and say that their work was a self-sacrificing, a noble, and a very valuable work, it does not follow that this great country is to stop at the point which they have happened to reach, and that we are not to make any effort to meet the constantly progressive demands for the further education of the great masses of the people. By the Act of 1870 an enormous advance was made in the provision of means for the education of the people. And who opposed the establishment of a national system of education? It was the friends of the voluntary system. And what have they to say now? They acknowledge that the education given by the Board Schools is a good education; at any rate, that it is equal to the education they give. We say it is inferior. We have now got, probably, accommodation enough for the children of the country. We have got what used to be considered fairly efficient education for all; but we who have the subject continually before us see that the improvements made are far from sufficient, and that if we do not want to lose a great part of

that which we have obtained by the expenditure of these £3,000,000 or £4,000,000 of grants by the State, we must go further. The proper way to deal with this question is to say that the School Boards interested in the education of the people, or the voluntary managers, if they care to do it—we do not object to their doing it—must do more than was supposed to be necessary in 1870. The hon. Member for Oxford University thinks, as Mr. Bright thought 20 years ago, that to teach the children in elementary schools to read and write is enough. Let me tell hon. Gentlemen opposite that we do not think so now. The country does not think so, and the working men do not think so. Perhaps the hon. Gentleman opposite (Mr. Talbot) will be surprised when I tell him that the working men of Birmingham are really in advance of the School Board; they are continually pressing it forward; their complaint is that it does not do enough; they watch the course of legislation on the subject; and they express in the strongest terms their dissatisfaction at delay. The School Board feels that it is their duty to do more than the law permits them to do. We feel it is our duty to give what is sometimes called secondary education, to supply future workmen with the means of acquiring the elementary and scientific knowledge alluded to by the hon. Member for Manchester (Sir H. Roscoe) and to provide evening continuation schools to enable workers to learn what will make them more successful in their particular trades. And we are met by the National Society and the voluntaryists in this way—"You shall not have these advantages unless you will give more money to the voluntary schools." The great mass of the electors in the country will not permit the education of the working classes to be retarded by such motives. It is an entire mistake to suppose that increased grants to voluntary schools will put them on a level with Board Schools. One half-crown addition to the grants will have to be followed by another as the subscriptions fall off; and yet neither the taxpayers nor the ratepayers would be represented in the management of these schools If the so-called compact of 1870 were to be violated, you may rely on it that the country would be up in arms against you; and even if you succeed for a moment your success will be but fleeting, and before many years are over the principle you are now laying down will be swept away.

*VISCOUNT CRANBORNE (Lancashire, N.E., Darwen): The hon. Gentleman who has just sat down need not be afraid that we on this side are anxious to confine elementary education to merely reading, writing, and arithmetic. We fully acknowledge the feeling of the country in favour of higher education, and we are determined to act upon it. If anything were wanted to show how determined we are to pursue a policy of that kind it would be found in our attitude towards technical education. We fully admit that the feeling of the country is in favour of introducing technical education, especially in the higher schools; but even in elementary schools we are willing to give effect to that feeling. We maintain that any assistance given for the purpose naturally ought to follow the lines of the original Act, and must be equally given to both classes of schools recognised by that great settlement in 1870. Before I deal with the larger question, perhaps the Committee will allow me to say a word or two on a question particularly interesting to my own constituency—namely, half-time. I venture to ask my right hon. Friend to take this question into consideration, whether it would be possible to re-introduce the provisions that existed in the Act, 1876, but were abolished in 1880. I know it will require an Act of Parliament to do it—namely, to allow a standard of previous attendance to count as an alternative to educational efficiency in permitting half-time employment. The right hon. Gentleman opposite does not think so.

MR. MUNDELLA: It is utterly impossible.

*VISCOUNT CRANBORNE: That may be so in the view of the right hon. Gentleman, but that is not the view in the manufacturing districts. A number of children who are not able reach the same standard of proficiency as others, are kept back for a considerable time from half-time employment, and this is resented by the parents. I think that by such an arrangement these children might be allowed to become part of the

wage-earners of the family, and in that way education of the children would become more popular with their parents. This view has been pressed upon me by an important Local Board in the neighbourhood of Preston, and also by the Teachers' Association of Blackburn. I would press this upon the consideration of my right hon. Friend between this and next year. And now let me turn to the new Code and the reasons for its failure. I do not for a moment think that any attack was intended by my right hon. Friend upon voluntary schools. For my own part, I give the Government great credit for having introduced a system totally different from the old payment by results under which we have so long suffered. But though the Code in its main outlines was a good Code, no doubt it was among voluntaryists all over the country widely unpopular. It contained certain provisions of an irritating character, and a good deal that was vague, but we should have believed that the vagueness would have been interpreted in a proper spirit, and that the provisions that were irritating would have been carried out so as to inflict no hardship upon voluntary schools if only we could trust the authorities who would administer the Code. We do not distrust the right hon. Gentleman the Vice President of the Board; but we have a profound distrust of the Education Department, not merely because in the changes and chances of political life the right hon. Gentleman the Member for Sheffield may resume his seat on the Treasury Bench—and of course from our point of view that would be a public disaster—but because the right hon. Gentleman has left his spirit behind in the Education Department; and though my right hon. Friend does his best to restrain that spirit, we see it peeping out in every direction. Let me take two instances. There has been a question of increased cubic space in the New Code. I do not believe that the Government intended that provision to apply to existing schools; but in its words it did apply to them, and we found a most extraordinary reluctance on the part of the Government to withdraw that provision. Then there was the question of fixed grants. I am myself of opinion that the method of assigning the grant in the New Code was a very good one. I presume that the Government intended that the lowest grant of 12s. was not to be withheld except in cases of gross inefficiency. That is what my right hon. Friend would probably say. But those who represent voluntary schools have no confidence that this provision would be interpreted in this harmless manner, so it became our duty to put down Amendments to make the meaning clear, and I am bound to say that, distrusting the Department as we did, the proceedings of the Government did not reassure us. Hon. Gentlemen are well aware that this is not the only Chamber in which these discussions take place. Listening to the utterances of Her Majesty's Government, taken as a whole, we could not feel sure that there was this determination to interpret all that was vague and irritating in a manner fair to voluntary schools. We could not feel sure that that was the case. Speaking for myself I do not share all the fears that have been expressed; but what I urge on the Government is this—that between now and next year they should make their intention clear. If they would make all these points clear before next year I do not believe that the Government will experience any difficulty from those who sit on this side of the House, at any rate, in passing their New Code. And now I turn to the question that has been discussed to-night. Hon. Gentlemen opposite are always telling us we must not attempt to bring about a change in the Concordat of 1870. The Act of 1870 gave a certain period in which voluntary school managers were invited to establish voluntary schools all over the country, and Parliament thus entered into an engagement of honour from which it cannot escape so long as voluntary schools do their duty. Since 1870, again, a great many new circumstances have come into existence; there is, in the first place, the astonishing multiplication of voluntary schools, which I do not think was anticipated by the right hon. Gentleman the Member for Mid Lothian or by Mr. Forster at that time. The voluntary schools have become by far the most important educational agency in this country. They educate a far larger number of children than the Board Schools do; according to the reports of 1886-7 the numbers are in the proportion of 22 to 13. Then there is the enormous increase

in the cost of education which was not contemplated at the time, and which throws an enormous burden on the rates and also on the voluntary subscribers. The hon. Member for Edgbaston said that the voluntary subscriptions had fallen off in the last 10 years, but the hon. Member forgot that for the most recent period, from last year to the present day, the voluntary subscriptions have practically remained at the same figure, and even in the period mentioned they have only fallen away by the comparatively small amount of £30,000, and even this has been made up by an increase in the amount of endowments. If hon. Members doubt that, they will find from the Report of the Commission that is so. But there is a third, and a much more important, event which has taken place since the settlement of 1870. The Nonconformist witnesses before the Royal Commission have declared that no religion whatever is possible in the Board Schools. I know the right hon. Gentleman the Member for Sheffield believes in the religious education given in the Board Schools, and I will not say a word against it. I am glad to feel that there is some sort of religion taught in the Board Schools, but the witnesses to whom I have referred showed that it was impossible or of no value. The public opinion in this country is in favour—strongly in favour—of religious education. Does anyone deny that the people of this country are profoundly impressed with the importance of teaching religion to their children? Does not the Sunday school itself show the enormous desire the people have for religious teaching? I have shown that the Board Schools had failed to provide religious education, and I entirely repudiate the view of the Member for Birmingham that the electors in this country are opposed to the voluntary school system.

*MR. G. DIXON: I did not say they were opposed to the voluntary schools. What I said was that they were in favour of making their education more effective.

*VISCOUNT CRANBORNE: I apologise to the hon. Member. I have no doubt I did misquote him slightly. What the hon. Gentleman, I think, wished to imply was, that the people of this country would not allow religious considerations to stand in the way of educational progress. I believe the hon. Gentleman is entirely wrong. I believe the people do not care for very advanced educational systems, and that they do care for religious education. When I think of the constituency the hon. Member represents, I am surprised at the line he has taken. A country district might have a feeling against a voluntary school which the Nonconformists were obliged to attend, but how Birmingham can find anything to complain of in the existence of voluntary schools I do not know. In the constituency I represent there is no Board School at all. Every denomination has its own school, and my hon. Friend (Mr. Tomlinson) represents such another constituency. But in the case of a country district where there might be a theoretical objection. I feel bound to say that nothing is more instructive, in reading the Report of the minority of the Commission, than the account which they give of the action of the Conscience Clause. The Conscience Clause, they agree, is not violated; but they say it has been ineffective. It has been ineffective because the Nonconformists do not make the slightest use of it; that is to say, they are content with the present settlement. That being so, we have to consider the position in which we are now placed. After the Report of the Commission it will not be possible to remain exactly where we are. The majority of the Commission reported that the two systems ran along side by side, but the pressure is becoming almost more than the voluntary system can bear, and that, unless something is done for its relief, we must look to the time when the voluntary system must gradually disappear. We must not merely look at the rights of the voluntary system. The hon. Member said the voluntary schools have no right to expect assistance from the State unless they made every effort to maintain their subscriptions. I have no doubt they will do that, but I look at the matter from the point of view of the community. It would be a profound disaster to lose these voluntary schools, and I would go a long way to prevent it. Some hon. Members seem to think that we who touch their educational system are poachers. Well, we will be no longer considered poachers. We have a distinct line. We enjoy the support, I believe, of a majority of the electors.

We certainly enjoy that of the majority of the House, and we intend to use the power placed in our hands. I do not say that any Member will propose that direct rate aid should be given to the voluntary schools. The time is not yet ripe for that great question, but no consideration will restrain us from making the demand if we think fit. In the case of technical education, the hon. Gentleman has declared in the most emphatic manner that he will not allow any assistance to be given to voluntary schools. We are sorry hon. Members take that line, but we are determined to meet them. Next Session we hope to meet them in the open and defeat them in the Division Lobbies. Let not hon. Gentlemen think that at the next Election they will be able to throw it in our teeth that we stopped technical education, for we fully intend to carry it out ourselves. We are often told in these discussions that we are being defeated by other countries in the great competition that exists at the present day, but I am not convinced. When I look back on history I find that we have not always followed the example of foreign nations, and yet we have been successful and they have failed. I find, too, that there has been one undoubted characteristic to be recognised—the religious character of the English people. How do we know, with all our technical education and the rest of it, an irreligious England would produce the same result as in the past? We insist on religious teaching as a basis. We insist on the maintenance of our denominational schools, whether for Catholics, Methodists, or Church of England, and we believe we shall succeed.

MR. MUNDELLA: I am glad, Sir, that when I rose before I had not the good fortune to catch your eye, for it has given me the opportunity of hearing the admirable speech of the hon. Member for Birmingham (Mr. Dixon). There is no man in the House more thoroughly qualified to speak on the work of education, and I may tell the noble Lord that though he seems to doubt it, no Member in the House has done more for the religious education of children than my hon. Friend has done in Birmingham. He cannot be surprised if I say, speaking from my experience of the Education Department, that no Member has done more for voluntary schools than the hon. Member (Mr. Dixon). I have known him put his hand into his pocket to advance them.

*VISCOUNT CRANBORNE: Looking at what they have done in the past, I should be rash to predict the collapse of the voluntary schools; but I do think there is a risk that they may be over-pressed, and I desire to protect them against it.

MR. MUNDELLA: That was the burden of the noble Lord's speech—that having in view the burden they are bearing and the difficulty they experience in competing with the Board Schools, something should be done by the Government for the voluntary schools. I must say that I do not think the First Lord of the Treasury will thank the noble Lord for his speech, and I am certain that the noble Lord has made the task of the Vice President very much more difficult than it was. And before I pass on I should like to refer to what I think was much to be regretted in the speech of the noble Lord, and what I think he himself will one of these days regret, if he does not feel ashamed of it. The noble Lord attacked the Education Department; he said he believed in the good intentions of the Government, but that he had no faith in the Education Department.

*VISCOUNT CRANBORNE: Hear, hear.

MR. MUNDELLA: Yes, he applauds that statement. The noble Lord said I had left my spirit behind me in the Education Department. I wish I was sure of that; but I will say this to the noble Lord—that it is disgraceful that a Member of the House should attack officials when they cannot defend themselves. [*Ministerial cries of* "Order!"] It is a shabby thing, at least, to attack permanent officials when they are not present to defend themselves, and have no one to do so for them; but, speaking from what I know of the Department, and of its traditions under every Vice President, I believe that it has been perfectly impartial in all its dealings with Board and voluntary schools; and if it has had any leanings, they have been almost always in the direction of the voluntary schools, which they are anxious to prevent from going to the wall. I am afraid the reference of the noble Lord was entirely confined to one important Member of the Education Department—namely, the Secretary to the Department, for I heard his name

called out by the hon. Gentleman the Member for the Loughborough Division.

*VISCOUNT CRANBORNE: I must interrupt the right hon. Gentleman. I decline to have any words put into my mouth beyond those I used and to which I adhere. I am not responsible for any interruptions.

MR. MUNDELLA: He is not responsible for interruptions, but he is responsible for his words, and when he speaks of the Education Department he must remember that the chief of the Department is responsible for all the other officials, and I trust that the Vice President, when he rises to speak, will give the noble Lord a piece of his mind for the attack he has made on the permanent officials, because I hold it to be the duty of every chief not to allow his subordinates to be attacked. Did the noble Lord ever hear imputations of this kind made from this side of the House? So long as I was at the Education Department I always received the strongest public testimony from the heads of the Church to which the noble Lord belongs, from the late and the present Archbishop of Canterbury, from most of the Bishops, that I held the balance equal, and tried to administer the law as I found it; and I believe every Minister will endeavour to do that. The hon. Member for Oxford University admitted that the defeat of the Code and of the technical education scheme was entirely due to the apprehension that the voluntary schools would suffer. Thus, after three years and three Bills—after the passionate appeal made two years ago in Manchester by the Chancellor of the Exchequer, that the Government would not allow the Irish to obstruct their good intentions with respect to technical education—the House has not been given a chance during all this time to vote on the question of technical education. The noble Lord and his friends speak a good deal about religious education. But I believe that when they speak of religious education they mean sectarian education. They believe that there is no religious education unless it is associated with dogma. ["Hear, hear," from the Ministerial Benches.] I am sorry to hear that cheer from the Benches opposite. I should like to ask the noble Lord if he has ever been in a London Board School? Has the noble Lord ever attended at the opening of a London Board School or at the hours when religious instruction is given? Has he seen the syllabus of religious teaching? I believe that there is more and better religious teaching to-day than at any time during this century. The noble Lord talked about a "religious England," and said we were possibly in the way of having an "irreligious England;" but he forgets that, whereas a century ago, Joseph Lancaster began to teach children for 5s. a year, to read and spell texts; now there are 4,600,000 children under instruction, and almost every child receiving good, solid religious education. A clergyman of the Church of England, a member of the School Board, and Chairman of the Religious Instruction Committee, wrote me a letter stating that the religious instruction of the School Board in London is at least equal to, and in most cases better, than the religious instruction of the voluntary schools; and I know that is so, not only in London, but throughout the country. There are in proportion to the population 40 per cent more in Sunday-schools than there were in 1851, and the number on the register is 5,200,000, or 500,000 more than on the register of day schools. What, then, does the noble Lord mean by talking as if the religious element was entirely monopolised by that side of the House, and we were advocates of irreligious instruction? There is no justification for any statement of that kind. I congratulate the right hon. Gentleman the Vice President of the Council on what I may call the ordinary statement of automatic progress in the numbers under education in our elementary schools. So far as numbers are concerned, nothing could be more satisfactory. In 1870 the number in average attendance was 1,160,000, in 1876, under the Act of Lord Sandown, it rose to about 2,200,000, in 1880 it was nearly 3,000,000, and it is now 3,800,000. During the past 19 years what has been going forward in regard to education? First, we have brought the children into the schools, and then we have given them a minimum of instruction; but I have no hesitation in saying, after the Report of the Royal Commission, we are in the presence of a state of things which demands a new departure. It is impossible, in the existing state of things, to continue the present moral and pecuniary waste. A few weeks ago attention was called by the Bishop of

Lichfield to the great blot upon the Education Acts that children are leaving school at earlier ages every year. The reason is that the children are better taught, and every year they pass through their standards earlier. In Standard II. last year there were 561,000 children, in Standard III. 561,537, in Standard IV. the number fell to 481,000, in Standard V. to 309,000, and in Standard VI. there were only 129,000 children. In more than half the rural parishes in England the standard of exemption is Standard IV., the children are passing from school at 10 years of age, and very soon they will have an opportunity of forgetting all they have learned at school. We are spending between seven and eight millions a year on elementary education. So few children reach the upper standards, in consequence of the early age at which they pass the standard of exemption, that they lose in a few years all they have learned at school. A great many of them do not work; if they did they might become half-timers. The Chairman of the Birmingham School Board, in his address on last year's work, said that the parents were powerless to enforce their own wish, and there being no law to touch them these lads are a law to themselves; they will neither earn or learn, but loaf. That is a state of things which certainly urgently demands a remedy. The hon. Member for the University of Oxford says we have no standard of what elementary education ought to be, and that we seem to be adding first one subject and then another which was not in contemplation when the Education Act was passed. I have not time now to quote Mr. Forster's speeches, but I may point out that in opening several of the higher elementary schools he said that it was always contemplated that this education should be equal with any in Europe. Will the hon. Member for Oxford University consult the authority of his own Commission, which was sent on the Continent to consider the question of the elementary education of Europe? Mr. Alfred Arnold, the best authority we have, in his Report, which is one of the most important documents in relation to elementary education ever submitted to this House, says—

"The release of a child from school at 10 or 11 because he could pass the Fifth Standard would be thought in Germany absurd and most injurious."

I am afraid the noble Lord opposite is not acquainted with that Report. The right hon. Gentleman's Code was in many respects an advance, and I very much regret its withdrawal. I do not complain of the right hon. Gentleman, but I think he has been badly treated at the hands of his chiefs. I know the trouble it involves to prepare a New Code, and make it fair all round, and I say that to prepare one and place it on the Table of the House, and let it lie there for six months to be shot at by all who misunderstand or misrepresent it, and never to give it one moment's chance of discussion, is to afford very scurvy treatment to the right hon. Gentleman the Vice President of the Council. I have often been disposed rather to commisserate with the right hon. Gentleman than to blame him. I have regarded him more with sorrow than with anger for all the miserable shortcomings of the Education Department during the past three years.

MR. RITCHIE: Hear, hear.

MR. MUNDELLA: I hope the right hon. Gentleman who is cheering that statement, the President of the Local Government Board, will take his full share of the blame. The Vice President of the Council is not a Cabinet Minister, and any Minister who is without a seat in the Cabinet has but a very poor chance of obtaining the consideration of any important subject it is his lot to bring before the House. I hope and trust the day is not far distant when we shall deal not only with questions of administration, but with the more important question which was before the House five or six years ago, and in favour of which a Committee reported unanimously—namely, the establishment of a Minister of Education. Until you have such a Minister you will never have your work properly performed—the Vice President of the Council will never be able to exercise proper influence over Her Majesty's Government. What I want to say with regard to the Code is this, that do what you will, shuffle the cards as you may, you cannot by any system of administration remedy the great defects which are now too apparent in the Educational system. It is not possible by means of a Code to lengthen the school life of a child which has been stereotyped by our low standards. The majority and the minority of the Education Commission wer

agreed that you must raise the standard of age and also the minimum standard for half-time and full-time examinations. I think they recommended that we should place England on the same footing as Scotland in that respect. The Third and Fifth Standards should be the minimum in England as in Scotland, otherwise we are wasting money in a lavish and almost profligate manner. Because £8,000,000 a year spent in elementary education when more than half the children do not complete their education is simply robbery of the taxpayer. Now, there was some question raised as to the progress made in certain subjects which the right hon. Gentleman the Vice President said affect domestic happiness. Cookery and domestic economy are two of these subjects and they require little or no apparatus. But where are they taught? I put the question to the noble Lord. The teaching does not take place in the voluntary schools. Of 42,000 children who received grants in cookery during the past year 35,000 were taught in Board Schools, and only 5,318 in the National Schools of the Church of England to which Church the vast majority of the voluntary schools belong. What is the reason of this?

An hon. MEMBER: The rates.

MR. MUNDELLA: But the noble Lord insists that the voluntary schools shall have the same means to enable them to teach technical education as the School Board schools. The voluntary schools have the same grants for teaching cookery as the School Board schools have; and because they will not teach it or cannot teach it are they to remain as dogs in the manger, refusing to allow it to be taught to any one else? Are we to wait for technical education for our children until such time as the voluntary schools can share the rates with the Board Schools, and that will be doomsday or never? Take the question of domestic economy. The number of girls taught domestic economy last year was 14,840. I want to show that the voluntary schools are trying to cover too large an area; they are taking too much on their shoulders in the determination not to let the School Boards come in, and so the education of the country is being starved. I can point to towns where there is no Board School, and where, depend upon it, it is a great misfortune for the towns, as they are where, while education ranks lowest and is poorest, the highest fees are paid—in some cases actually double what are charged in School Board towns. The hon. Baronet the Member for Evesham (Sir R. Temple) talked about the extravagance of the London School Board, both in the case of the last Board and the present one. Well, the hon. Baronet had a majority on his side at both Boards—how is it he did not manage to keep down the extravagance? The fact is the education of the London School Board is too good to be much cheaper than it is, and the hon. Member in his heart of hearts knows it. There are voluntary schools that give as good instruction, but it costs just as much. It is useless to say that the voluntary schools cost less than the Board Schools. I am grateful for what the voluntary schools have done, and have no desire to see them injured where they do their work as well as the Board Schools, but I say they cannot survive unless they do that. We have no right to maintain inferior schools and force the children to attend them, without choice to the parents, and waste the school life of the children, which must happen if they have not good instruction. A strong appeal was made by the hon. Gentleman the Member for Shropshire (Mr. Stanley Leighton) on the question of inspection, and he spoke of the Inspector as the great terror of the school. Well, some of them are not only a terror to the school, but a terror to the Department. But how does this come about? Why, by the exercise of political patronage, and putting men into the Inspection Department because they were the sons or relatives of this man or that. When you get the men there they do not turn out to be what is wanted. During six years something like 80 University men were appointed, and many of them were wholly unfit for the work—men who had no sympathy with child life, no desire to study their duties—in fact, no desire to do anything but receive their salaries. Well, we had to put an end to that. A Return before the House shows that between 1880 and 1889 only two Inspectors were appointed who were members of Universities, and one of them was a Welsh-speaking Inspector who was wanted in Wales. We improved the position of the teachers and promoted them to these

positions, and they have done their work much better than the late Inspectors; in fact, so much better that £12,000 a year is already being saved, and that will amount to £20,000 four or five years hence. I cannot agree with what has been said in favour of the New Code. It has been stated that it will abolish payment by results. In my opinion, it does not touch them. It simply is a system of larger merit grants—namely, 12s. 6d., 14s., and 15s. 6d. for three classes of schools, and three merit grants, arrived at, not by individual examination of every child, but of a proportion of the children, on whom an average will be struck. As to the question of day training colleges, I would point out that some of the best teachers in Great Britain are trained in day training colleges. In Scotland teachers are trained in day training colleges. The consequence is that in Scotland they have a higher class of teachers than in England. I do hope that in England we shall soon get day training colleges. I want to impress on the House that the Government have had the question of education before them for three years, and that they have done practically nothing. Whatever progress has been made has been the automatic progress of the old Code. The First Lord of the Treasury a year ago made a promise in regard to secondary schools; but nothing has yet been done in that matter. The Government have before them the Reports of three Royal Commissions—that on technical education, that on elementary education, and that on the teaching of the deaf and dumb, the Reports of which are all awaiting legislation — and they have given a sound promise that the system of educational endowments prevailing in Scotland shall be adopted here. Scotland is in an exceptional position as compared with England in this respect. It has better schools and higher standards, and is, moreover, receiving grants from the Government for secondary education. How long shall we be before we overtake Scotland? At the earliest opportunity next Session I intend to give the House the opportunity of testing its opinion as to whether we shall not make a new advance; for I think the time has come for a new departure. We can only make this by legislation, and in legislating we must raise the standard and the age, and so extend the School Boards as to make them obligatory all over the country. The speech of the hon. Member for King's County, made on behalf of a very important educational body, shows that they are wearied of the burdens and contentions of the present system and are prepared for a compromise by which they may place themselves under representative management and adopt a better system. Surely the Church will not stand in the way, and certainly the Nonconformists ought not. As to technical education I sincerely trust that even this Session the Government may see their way to help us in getting some scheme that will end the bitter controversy of the last few years. It has been no fault of ours, for we have tried what we could to introduce it; and I earnestly trust that the Government may at least do something before another Session.

MR. H. GARDNER (Saffron Walden): I have an important Amendment on the Paper which I am anxious to bring before the House, but at this hour I will not enter upon it so as to prevent the right hon. Gentleman (Sir W. Hart Dyke) addressing the House, and, therefore, will postpone it to the Report.

*SIR W. HART DYKE: There are only a few minutes left to me to reply to the many points that have been raised in this very interesting discussion. Some of my hon. Friends appear to fear that the proposals of the Government would seriously increase the charges upon voluntary schools. With regard to school accommodation, a pledge has already been given which I think ought to allay this apprehension; and as to the school staff I have had a list of schools made out and have found that in very few instances indeed of voluntary schools does the present staff appear to be inadequate. With respect to what had been said about injustice being done to voluntary schools, I can only say that during the time I have been at the Education Office I have never been able to point to one single case where I had a shadow of a suspicion that injustice was being done. I could point to instances when I have gone into cases of voluntary schools and done them more than justice. It is too late now to go into other questions, but in conclusion I promise that before making

any new proposals I will fully take into consideration all the suggestions which have been made in the present Debate.

MR. MUNDELLA: Would it not be desirable that the memorials sent to the Department in respect to the Code from all the different bodies should be printed for the information of the House?

MR. CONWAY (Leitrim, N.): With regard to payment by results I should like to offer some remarks on the Report; I should also wish to make some observations as to the grievances of the teachers in regard to the Inspectors. May I now ask whether the Government intend to promote a national providence scheme for the benefit of the teachers?

*SIR W. HART DYKE: I will answer these questions to-morrow.

Resolution to be reported to-morrow.

MR. DE LISLE (Loughborough): Will the right hon. Gentleman the First Lord promise that before the new Code is introduced he will afford the House ample opportunity for discussing the last Report of the Royal Commission on Education? Otherwise some of us will feel compelled to obstruct in every way the passing of the new measure into law.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The Report of the Vote will be put down for to-morrow. I cannot undertake at this advanced period of the Session to give a day when the Report of the Commission on Education shall be considered.

Committee report Progress; to sit again to-morrow.

ARBITRATION BILL [LORDS]. (No. 267.)

As amended, considered.

Motion made, and Question proposed, "That the Bill be now read the third time:"—Debate arising.

It being Midnight the Debate stood adjourned.

Debate to be resumed to-morrow.

REGULATION OF RAILWAYS (No. 2) BILL. (No. 360.)

Considered in Committee.

(In the Committee).

*MR. CHANNING (Northampton, E.): The Amendment which I have put on the Paper is rather in the form of a suggestion to the President of the Board of Trade. The original proposal of the Bill had gone farther than necessary in taking power to enforce special systems of coupling. The Amendment would give the Board of Trade power to compel railway companies and owners of private trucks to adopt something like the light three link coupling now used on the Midland and, I believe, the North Western Railway. It would practically mean the universal adoption of the coupling pole, would be the very cheapest alteration possible, and would, I believe, result in a great saving of life. Hon. Members who have studied this question must be aware that there has been a diminution in the number of accidents since the Midland Company have adopted the coupling pole, and I sincerely trust, therefore, that this very moderate suggestion will be adopted.

Amendment proposed, Clause 1, page 1, line 24, insert—

"To provide for such of their vehicles employed in goods and mineral trains as cannot be coupled and uncoupled from the sides of the trains, such improved apparatus for coupling and uncoupling as shall make it unnecessary for men to go between the vehicles for the purpose of coupling or uncoupling, such order shall require every owner of any such vehicles used on the railway to adopt some improved apparatus for coupling or uncoupling which shall make it unnecessary for men to go between them for the purpose of coupling or uncoupling."—(*Mr. Channing.*)

*SIR MICHAEL HICKS BEACH (Bristol, W.): I fully appreciate the moderate tone in which the hon. Member has raised this question, but it is impossible for me to accept the Amendment in view of the pledges I gave when I brought in this Bill. I will, however, assure the hon. Member that the matter shall not escape my attention.

*MR. CHANNING: I may remind the right hon. Gentleman that there is a Parliamentary Return now being completed on the subject of railway couplings which will greatly strengthen his hands in dealing with this question. After the assurances given to the House, I will not press the Amendment, although I am exceedingly anxious to see it carried.

Amendment, by leave, withdrawn.

*MR. CHANNING: The next Amendment, which stands in my name, is so drawn as to cover one or two notorious cases to which I have drawn the attention of the House several times. Of course, if the right hon. Gentleman cannot accept it I will withdraw it.

Amendment proposed, in Clause 1, line 24, insert—

"To provide a subway, bridge, or footway at any station of the company where it shall appear that any considerable number of persons, whether passengers, or railway servants, or others, are daily compelled to cross the lines in passing from one part of such station to another part thereof;

"To provide all passenger trains with an efficient means of communication between the passengers and the guard and driver."—(*Mr. Channing.*)

*SIR MICHAEL HICKS BEACH: I can only say I feel myself bound on this Amendment as on the former one.

Amendment, by leave, withdrawn.

Question proposed, "That Clause 1 stand part of the Bill."

*MR. W. M. MURPHY (Dublin, St. Patrick's): This Bill was not read a second time till Friday night, and although I desire the insertion of several Amendments, I only had the opportuinty of putting them down to-night, and I think it is very desirable that they should appear on the Paper. Therefore, while I have no desire to delay or obstruct the Bill, I beg to move to report Progress. My Amendments are proposed in the interests of weak companies.

Motion made, "That the Chairman do report Progress, and ask leave to sit again."

*SIR MICHAEL HICKS BEACH: May I point out to the hon. Member that the Question has already been put that Clause 1 stand part of the Bill, and if, as I understand, his Amendments are to that clause, it is too late to put them? If he will place them on the Paper, or in any way communicate with me, I shall be happy to consider them. I may explain that I have already altered the wording of the clause in order to meet the very cases to which the hon. Member refers, and I would ask him to let the clause pass so that we may proceed with the Bill as far as possible.

*MR. R. K. CAUSTON (Southwark, W.): I should like to draw the attention of the right hon. Gentleman to the fact that I have myself given notice of a new clause to this Bill with the object of securing the printing of fares on passenger tickets, and upon which I should like to take the opinion of the House if the right hon. Gentleman cannot accept it.

MR. A. J. MUNDELLA: I rise to appeal to the hon. Gentleman to let this Bill proceed, and I may remind him that there is no part of Her Majesty's dominions where a Bill of this kind is more required.

*MR. MURPHY: I have said before I have no desire to obstruct the Bill. I think, however, we should have an opportunity of discussing the Amendments, and, therefore, I cannot withdraw my Motion.

*SIR MICHAEL HICKS BEACH: With regard to the remarks of the hon. Member for Southwark, I do not think the question of printing fares on tickets is of first-rate importance. I hope he will not press it so as to defeat the Bill. I would also ask the hon. Member for the St. Patrick's Division of Dublin to place his Amendment on the Paper.

MR. MURPHY: I have done so.

Committee Report Progress; to sit again to-morrow.

COTTON CLOTH FACTORIES BILL
(No. 294.)

Considered in Committee, and reported; Bill, as amended, to be printed [Bill 366]; re-committed for Wednesday.

TRUCK AMENDMENT ACT (1887) AMENDMENT (No. 2) BILL (No. 99.)

Order for Second Reading read, and discharged.

Bill withdrawn.

SUCK DRAINAGE BILL (No. 260.)

Reported; Report to lie upon the Table, and to be printed.

SUCK DRAINAGE [PROVISION OF FUNDS.]

Committee to consider of authorising the payment, out of moneys to be provided by Parliament, of a portion of the Costs, Charges, and Expenses which have been or may be incurred by the Drainage Board for the River Suck Drainage District; and of making other provision in relation thereto (Queen's recommendation signified) to-morrow.

House adjourned at twenty minutes after Twelve o'clock.

HANSARD'S
PARLIAMENTARY DEBATES.

No. 4.] SEVENTH VOLUME OF SESSION 1889. [AUGUST 15.

HOUSE OF LORDS,

Tuesday, 6th August, 1889.

COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Report from, That the Committee have added the Lord Elphinstone and the Lord Harris to the Standing Committee for Bills relating to Law, &c., for the consideration of the Official Secrets Bill, Read, and ordered to lie on the Table.

MERCHANT SHIPPING ACTS AMENDMENT BILL. (No. 191.)

Reported from the Standing Committee for Bills relating to Law, &c., with Amendments: The Report thereof received; and Bill re-committed to a Committee of the Whole House.

ARTILLERY AND ENGINEERS COMMISSIONS.

QUESTIONS.—OBSERVATIONS.

THE EARL OF MILLTOWN: My Lords, seeing the noble Lord the Under Secretary of State for War in his place I beg to ask a question of which I have given him private notice. Your Lordships may remember that a few days ago, in answer to a question which was put to my noble Friend, he stated that some 30 commissions in the Royal Artillery and Engineers were to be placed at the disposal of Coopers Hill College. The question I have to ask my noble Friend is, whether the Engineering School of the University of Dublin will be allowed to compete for those commissions? They were allowed to do so on a former occasion, when commissions were thus allotted, and it seems to me rather an injustice to exclude that School when it is turning out the highest class of engineers. What the authorities of that School ask is either to be allowed to compete with the Coopers Hill men, or that a certain number, say six, of those commissions should be allotted to them, or that the allotted commissions should be thrown open generally for competition to such Universities as possess engineering schools. It seems to me rather hard that the Coopers Hill School should be allowed that advantage against older colleges and schools. My Lords, the University of Dublin asks no favour, but only justice in this matter, and I trust my noble Friend will be able to give a favourable answer to the question.

THE UNDER SECRETARY OF STATE FOR WAR (Lord HARRIS): My Lords, the offer of 30 commissions in the Royal Artillery and Royal Engineers having now been made to the Coopers Hill cadets, it will not be possible to throw the competition open to all educational establishments where there are engineering schools. Coopers Hill was selected for the offer of these commissions because the Military Authorities found on previous occasions, when other establishments than the Royal Military Academy supplied successful candidates, that those who came from Coopers Hill required no more training at the School of Military Engineering at Chatham than Woolwich cadets, whilst those who entered by open competition required a year longer at Chatham—namely, three years instead of two. As these gentlemen are admitted, as it is, some years later than Woolwich cadets, this delay is obviously a serious matter.

JUDICIAL FACTORS (SCOTLAND) BILL.
(No. 202.)

Reported from the Standing Committee for Bills relating to Law, &c., without Amendment; and re-committed to a Committee of the Whole House on Thursday next.

PRIVATE BILLS.

Standing Orders considered and amended, and to be printed as amended. (No. 213.)

INTERMEDIATE EDUCATION (WALES) BILL. (No. 201.)

SECOND READING.

Order of the Day for the Second Reading, read.

*THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): My Lords, I have to ask your assent to the Second Reading of this Bill, a Measure which I hope will settle a controversy which has existed for a considerable period. In the year 1881 a Committee, which was appointed by the noble Earl opposite, who then filled the place which I have now the honour to occupy, reported in favour of a system of intermediate education for Wales at considerable length and in considerable detail. Since that time many attempts have been made to legislate in the matter; but either from want of time, or more particularly from the want of unanimity on the part of those interested, legislation has not taken place, and Bills which have been brought in on, I think, three or four occasions have passed away into the limbo of Bills, alike unfortunate, and have not come to any real result. I am very sorry that on this occasion my noble Friend Lord Aberdare, who was Chairman of that Commission, is absent, and unhappily from illness, but I have his assurance that if he had been here he would have given his hearty support to the Bill which I have brought before the House. My Lords, the Bill is a very simple one, and I do not propose, in saying a few words in its favour now, to make any remarks upon the Bills which have preceded it, except to say that with regard to the measure introduced this year in the other House it was read a second time with the assent of the Government, on the distinct understanding that it was not assumed to be accepted in its details, but that the interests of intermediate education in Wales were of such a character that it was desirable, at all events, that a measure should be passed in the course of the present Session. In consequence of that understanding we took the Bill into consideration, and by degrees framed Amendments which have been accepted by the authors of that Bill; and though, perhaps, they may not have been satisfied with everything done by us, they have seen that it is likely to advance education in Wales, and they have considered it advisable to give way on some points in order to ensure that result. My Lords, Wales has been for a long time in a very peculiar position, being poor and without endowments for this purpose. Within recent years three colleges have been established at Aberystwith, Cardiff, and Bangor, and the Government have given them considerable grants of money by which they have been able to do an increasing work. But day by day it is found that the young men who come up to them are very ill-prepared for the education which the colleges have to offer. There are not the means of providing adequate education within the Principality, and this Bill has been pressed on all hands with a view of supplying that deficiency in secondary schools. This will be the first occasion upon which the Government has given for this kind of education the promise of a direct grant of money to aid the contributions of the counties. The Bill provides that the counties may have power to rate themselves up to ½d. in the £1, and provision is made that if upon inspection the schools are found to be adequate for their purpose, and to be carrying on work which is advantageous to the Principality, a grant may be made, in no case exceeding the sum found by the counties. But, my Lords, the mode in which we have dealt with the question in this instance need not be made a precedent elsewhere, for the circumstances existing in Wales, as I have pointed out, are very peculiar. Hardly any of the counties in Wales have endowments of any value, for those which exist are very small ones, so that in comparison with England they are very deficient in those means of education which we supplied to so large a degree

in the English counties. In the endowed schools of Wales there is room for 2,846 scholars, but the attendance is only 1,546; nor is the education, though in some instances extremely good, such as to be practically suitable for the class of boys who generally need intermediate schools. Your Lordships observe that this is a Bill for providing intermediate or technical education. It embraces the two, and by the definition which is given in the Interpretation Clause you will see that it is intended this should be rather a kind of scientific and commercial education than the usual classical education given in such schools. It includes branches of science, such as those for which grants are made by the Department of Science and Art, the use of tools, modelling in clay, shorthand, and subjects which may be of use to the youths in trade or commerce, but it will not include the teaching or practice of any trade, industry, or employment. So that your Lordships will see the design of this measure is that throughout Wales schools may be provided at which boys will receive the kind of education which will best fit them for commerce or for the trades in which they may afterwards be engaged. Under the Bill which was previously introduced, provision was made that there should be a Board of Education for the whole of Wales, which was to supersede the Charity Commissioners. We did not think that was either workable or a good system in itself, for there would not exist the impartiality which is found in the Charity Commissioners. Besides, there seemed to be no reason why the Charity Commissioners should be excluded from the work which it has been doing extremely well, and which it is perfectly competent to do. We propose, in this Bill, that there shall be a Joint Education Committee of five in each county, three of the members being appointed by the County Council and two by the Government, and that the Charity Commissioners shall send an assistant Commissioner to sit with them but not vote. In that way the initiation of the scheme will begin with those who have a thorough knowledge of Wales, and, at the same time, the Government will be in a position to take part in the deliberations, and to give effect to its wishes. Your Lordships will observe that in the later part of the Bill the matter is to be taken up in the ordinary way by the Charity Commissioners, and that though powers are given to this Joint Committee to commence, there is no power given them to carry into effect projects, but that the Charity Commissioners are to exercise their functions as in ordinary cases. It seems to me to be very much in accordance with what was designed by the Committee appointed by the noble Earl opposite. The Report says that it may be hoped, when the wishes of the Welsh people come to be properly understood, those with whom the settlement of the question rests will make the necessary changes, and that they will act wisely in changing the character of the education, as time and alteration of circumstances may prove it to be unsuitable and unnecessary for any useful purpose. There will be an opportunity of changing the kind of education on the part of the Charity Commissioners, and they will be empowered to form schemes, even where, though there are no endowments, there are payments made out of the rates on the part of the ratepayers and on the part of the Government out of the public funds. The Joint Committee might find a difficulty in entirely formulating schemes, and therefore they have power to put forward proposals for schemes which the Charity Commissioners, with their staff and means of carrying them into effect, will undoubtedly be able to do more effectually and efficiently than a Body which may be, perhaps, even more intimately acquainted with the wants of Wales, and which may therefore very well be empowered to bring forward proposals. In this way the feeling of the body of ratepayers in Wales, who have been to a certain extent irritated at finding themselves contributing largely out of the rates to elementary education, without having educational resources for themselves, has been consulted. My Lords, I do not propose now to go into the details of the Bill. It will work with the Endowed Schools Acts, and will be made part of them, and they must therefore be read together. First of all will come the initiation of some scheme by the Joint Committee, the composition and constitution of which I have described. Those schemes will then be carried to the Charity Commissioners, and they

will then come before the Education Department in the way in which all Charity schemes are dealt with. If there be any legal questions to settle, they will have to be disposed of by the Judicial Committee of the Privy Council, and therefore there is every opportunity provided for anybody who objects to anything under this system to object. Finally, if still opposed, the projects will be laid on the Tables of both Houses of Parliament, and there will be ample opportunity afforded, therefore, for discussing them. I think, therefore, your Lordships will agree that we have taken care that no rash schemes shall be either initiated or completed by any one of the parties who are entrusted with this work. I do not think I should be doing any good by going into the details of the Bill, which will be more properly reserved for the Committee stage; but I think I have explained to your Lordships sufficiently that this is a Bill which meets a want which has been put forward and advocated strongly ever since 1881. It is a Bill which, I confess, to my surprise, I have found accepted by all parties in Wales. Those who objected to the Bills hitherto, on the ground that they interfered too much with the old system in operation, are ready to take advantage of this Bill; and though they who were alarmed at the measure read a second time in the House of Commons are quite ready now to give their adhesion to the Bill before your Lorships. My Lords, I believe there is now an opportunity, such as there has never been before, of securing by this Bill a general system of secondary education in Wales; and, therefore, I commend it to your Lordships, and request for it a Second Reading.

Moved, "That the Bill be now read 2ª."—(*Viscount Cranbrook.*)

*LORD NORTON: My Lords, I must beg the House to consider this Bill for a moment in a different aspect from that in which it has been presented by the noble Lord the President of the Council. The details he has referred to are no doubt very good, and the amendments which the Government have introduced into the Bill render it a much safer measure for effecting its object. But what I want to call your Lordships' attention to is the grave principle involved in the Bill, which was hardly alluded to by the noble Lord, and which was not in the slightest degree alluded to in the other House or in any of the Debates on this measure—I mean the principle of subsidising from general taxation the intermediate and technical education of the country. That is a principle which is not recognised—distinctly disavowed—in England. The educational Treasury grants given in England to national schools are restricted to elementary education. I am well aware that attempts are being made to stretch the term "elementary" very considerably, and from time to time it has been stretched by what I cannot help considering the very dangerous by-legislation which is now permitted by Departments of State, and over which Parliament has very little control. In fact, Parliament hardly hears of what is done in the Council Office until it is too late to be modified or rectified. But, although the Education Department, by its Code, seems to have stretched elementary education over a great deal that is very much higher than elementary, it professes, or the Acts of Parliament profess, to restrict the charge upon general taxation in respect of education to what is elementary, and so far the poorer taxpayers of this country are assured that they will not be called upon to pay the expense of the education of the richer classes. It is this assurance which has led to a much better kind of provision for intermediate education and for technical instruction in this country; that is to say, the provision which is made by private interest, by great manufacturers, by guilds, by endowments, and from private sources of every possible kind. That suits better not only the spirit of this country, but the interests of intermediate, and still more of technical education. It is better that education of that kind should be provided by those who are interested in it, and who are far more competent to supply it appropriately than the State could possibly be under any circumstances whatever. This Bill represents a demand on the part of Wales for exceptional treatment in this respect. Upon what ground is Wales to make a demand for exceptional treatment in this matter? Wales distinctly claims it *in formâ pauperis*, upon what has been called in the other House "the generosity of

England." They say that they have fewer endowments in Wales than in England. The land of Wales, the minerals of Wales, the enterprise of Wales, are quite sufficient for all public purposes required by that country. Why have they not provided by endowments for this purpose in Wales as in England? Endowments are the secured contributions of past volunteers. As to poverty, unless they mean poverty of spirit, there is no ground whatever for making such a claim. The fact is, as one can only gather incidentally from the Debates, the feeling is not so much that the endowments for education are small, as that the endowments for that purpose in Wales have been chiefly made by Churchmen. It is an anti-Church feeling, which is gradually diminishing in Wales; it is kept up only by agitation, and by the plan of shareholding in Dissenting chapels there. That is clearly the ground on which this demand is made. What can be a better proof of it than the clause in this Bill, which provides that the schools which are to be supported by public taxation are not to have any distinctive religious instruction whatever, and that any prayers, in the schools from day to day, shall be so arranged that the scholars can conveniently withdraw from them? That, my Lords, lets out the spirit of the Bill. The question is, whether even that spirit might not be more easily met than by admitting the principle of the charge on public funds. The terms of endowments might be widened. I observe that Mr. Gladstone, almost the only Englishman who took part in these Debates (and he is partly a Welshman) took the eleemosynary line too. He said that Wales had been neglected by England. Poor Wales neglected by its Patron! I thought that Wales was part of England, and had the same spirit as the rest of the country; but he thought that England should show more sympathy for Wales. Mr. Gladstone has not always thought so, for he himself, a few years ago, proposed the disendowment of Aberystwith College. And that, my Lords, leads me to the second argument which has been used in defence of this Bill—namely, that the principle of public support for higher education has been admitted by the public grants to Colleges which have been made in Wales, in Scotland, and of course in Ireland. I maintain that public grants to national colleges are no precedent for public taxation for intermediate schools. These schools are local, and have no similar claim upon the national funds. Technical instruction also is special with regard to various kinds of trades, and public grants to national colleges are no precedent for providing out of public taxation instruction in particular trades, which the State cannot undertake generally and everywhere. But the danger is this: if we extend this system of grants to intermediate schools, and to giving technical instruction, what will become of the existing schools? Poor as Wales is, there are a good many middle-class schools all over Wales, and very good ones. What is to become of those schools if the State is to set up schools in competition with them? We know something of the competition of State-aided schools against the higher-class schools in England; its effect has been to starve a great many of them, because they have been unable to compete with the Treasury in affording the same kind of education which can be given in State-aided schools more cheaply. What is to become of those schools if this Bill passes? What is to become of the private munificence, which is now being shown much more readily from year to year for the purposes of intermediate and technical instruction, when this Bill passes for supplying it to Wales partly at the expense of the Treasury? Is it to be stopped? My Lords, it certainly will be stopped. I observed that in the Debate in Committee alarm on this point has been already taken by some. They said—

> "We are afraid if this Bill passes that some of the efforts which are now being made by private munificence will cease, such as the grant recently made by one of the London Companies."

I think it was the Haberdashers' Company, which was alluded to. That is surely a dangerous thing. The best education from private sources would be stopped. We know already in England how State undertaking has checked the work of such men as Armstrong, Mather, Whitworth, and others who are doing the work infinitely better for the technical

instruction required in various lines of art than anything the State can do. We Englishmen might, perhaps, consent to let this bad principle be introduced into Wales if it were to be confined to that part of the country; but we know perfectly well that the principle once adopted will spread, and that we shall have it introduced into England. In passing this Measure we shall be introducing the very thing we are trying to avoid. In the other House the first day of Committee was entirely consumed in urging that Monmouthshire should be included, and upon the second day of the Committee the Government gave way on that point, and consented that Monmouthshire should be included. Depend upon it, my Lords, Monmouthshire is the thin end of the wedge in introducing this principle from Wales into England. I do not think it possible, even if I wished it, to arrest the progress of this Bill. For various reasons it has been at last assented to after eight years of discussion in Parliament, from the date of the Report of Lord Aberdare's Committee, alluded to by the noble Lord the President of the Council, which by the-bye expressly stated in its Report that these intermediary schools should precede the colleges. The colleges have made more rapid progress in Wales. They found there a most favourable soil for the growth of demands upon the Treasury of England. Mid-Wales having obtained the grant, the people of North Wales said they must have one too, and immediately South Wales said the same; and now there are three grants of £4,000 a year each for those three colleges, which Lord Aberdare's Committee said should certainly not precede the schools required to give the requisite preparatory education Upon that there has been framed a Measure which seems to me to be a somewhat lax mode of acting upon the principles of that Report. I should have thought that the right kind of Bill would have been one which would, in the first place have relaxed and widened the too narrow endowments in Wales; and, secondly, have encouraged more endowments being made as in England for these purposes. Wales, moreover, comes upon England to assist her as if England had a surplusage of endowments; but the endowments of England for educational purposes are not equal to her own requirements at this moment. We look to those endowments as our chief private aid to supply the middle class education required. All the endowments in England for this purpose do not exceed £200,000 a year, a sum perfectly unequal to the requirements of the middle-class in England for intermediate education. We have to do for ourselves England, as distinguished from Wales, a great deal more than they are called upon to do. Depend upon it, the only thing to prevent mischief being done will be their doing what is wanted as it is effected in England, that is, by local self-support. I do not propose to arrest the progress of this Bill; but I desire that hereafter nobody shall be able to say the Measure was passed without a protest against Government support for intermediate and technical education, and without a most hearty outcry against the extension of that principle now to be introduced into Wales to the disadvantage of English education.

EARL SPENCER: My Lords, I shall presently say a word or two upon the arguments which have been put forward by my noble Friend who has just sat down; but before I come to those arguments I have, on the part of my noble Friend Lord Aberdare, who I am sorry should be absent from this Debate, to express the great regret he feels at his inability to be in his place to-night. My noble Friend has all through his life been a true friend of education, and has devoted great attention to this subject in Wales. He has especially done signal service there by the part he has taken with regard to intermediate education. I therefore deeply regret my noble Friend's absence, and the cause which prevents him from being in his place. I rejoice that this important subject has received so much attention during the present Session of Parliament, and that a Measure of intermediate education for Wales has safely passed through the difficulties which have hitherto overwhelmed it in another place. I sincerely trust, differing from my noble Friend who has just sat down, that the Bill will pass safely through your Lordships' House, and will become law. Now, my Lords, the Report of the Committee appointed in 1880 has been referred to, and I should like to say something upon it, as I was responsible

for the appointment of that Committee. Since then a great deal has been done to promote higher education in Wales by University extension and attempts at assisting intermediate education. The noble Lord said the recommendation of Lord Aberdare's Committee was that intermediate education should have been extended before higher education was extended in that country. I am not sure, as I have not been able to refer to the passage in the Report, whether he was altogether correct in his statement; but they did lay stress on the necessity of an improved system of intermediate education in Wales, with the view of preparing young men for the higher education which has also been demanded in that country. The Government of which I was a member is responsible for making the aid given to University education in Wales precede any measure with regard to intermediate education. We did it for this reason, that we saw there would be very great advantages in carrying any measure for intermediate education through Parliament; and, on the other hand, we were able of our own motion to give grants to increase and improve University education in that country. My Lords, I think the course we took has been amply justified by the event. There certainly have been very considerable difficulties in dealing with this subject, and eight years have gone by without any measure having been carried with regard to intermediate education. First, as to the result of our action in recommending that grants should be made to several University colleges in Wales. They now amount, I think, to £12,000 a year, £4,000 a year being given to South Wales for a University college at Cardiff, £4,000 to North Wales for a University college at Bangor, and to Mid-Wales the grant to the University college at Aberystwith was at first £2,500, but it has now been increased to £4,000 for that college also. The result has been extremely satisfactory. When the Report of the Committee was made there were only in public University colleges in Wales 57 students. The average number of students at Aberystwith has been for the last three years 149; the average at Cardiff has been 146; and the average at the University college of Bangor 175. That, my Lords, is an eminently satisfactory result, and I maintain it justifies the action which the Government of that day took in giving those grants towards University education in Wales before they dealt with intermediate education. There certainly is great need for the increase of intermediate education in Wales. The noble Lord the Lord President of the Council put forward one matter as an argument in favour of it, but I will add another which can be found in this very Report of Lord Aberdare's Committee. It is there stated that it has been calculated that to give proper intermediate education to the people in England there ought to be accommodation at, I think, the rate of 16 per 1,000 of the population. If that rate were applied to Wales, there ought to be accommodation for 15,700 pupils. But the accommodation in public intermediary schools in Wales really only amounts to something over 2,000, and the noble Lord the Lord President of the Council mentioned that, owing to various circumstances, the unsuitability of the education provided, and possibly the constitution of the Governing Body, not nearly that number are found in the places of intermediate education in Wales. I say, therefore, that that argument is a very strong one as to the necessity of supporting intermediate education in Wales. Now, I will come to another point which my noble Friend also referred to—namely, the fact that for the first time a proposal is made to give direct grants to intermediary schools. He objected to that, but I confess I do not agree with him, and certainly not with regard to Wales, where, I believe, it was absolutely essential that some assistance of this sort should be given. It may be said that up to the present time assistance has been given to intermediate education through the instrumentality of South Kensington, and the large payments which are made for science and art subjects through that portion of the Education Department. But those grants are entirely given for particular subjects. They indirectly help a school, but they do not directly help it, and they certainly would not start an intermediate school in a locality where an intermediate school is wanted. Now, the reasons why in Wales there is such a need for this Government grant are very plain. Wales, it may be said, is

an exceedingly poor country in comparison with England. There are, no doubt, some districts where the minerals are very rich, but the large proportion of Wales is exceedingly poor when compared with England. Then the Welsh people are exceedingly anxious for education, but the public endowments for intermediate education and for all charitable purposes fall far below the endowments in England. I believe it has been computed—and I get this from the same source—that in England the average endowments for all charitable purposes, per county, amount to something like £55,575 per annum, whereas similar endowments in Wales, per county, amount to only £1,921. If we take the endowments in particular counties, of course they vary extremely. Some counties have much larger endowments than others, but whereas the most poorly-endowed county in England, Cornwall, has an endowment of over £4,000 a year, the large County of Glamorgan, with a population of something over half a million, has endowments only to the amount of £1,921. I hear that my noble Friend cheers that statement, and therefore I hope he will agree with me that the necessity for some additional endowment for intermediate education in Wales is conclusively shown by the figures which I have declared. My noble Friend said it was better to leave the endowment of intermediate education to the private munificence of individuals, but how is it that in Wales this private munificence has not created the endowments necessary for intermediate education? I think if there had been a large desire to do there what has been done in many parts of England—namely, to endow intermediate education, we should have seen much larger endowments in that country than now exist there. I therefore do not at all agree with my noble Friend that we ought to stay our hands and refuse to assist this poorer country in regard to intermediate education; for, from all I have seen and heard on the subject, I believe that if something is not done in the manner proposed to be adopted by this Bill, intermediate education will not thrive in Wales. My Lords, I do not wish to dwell at too great length on this subject, nor shall I go into the details of the Bill; but I should like to refer to one matter besides that to which my noble Friend has referred. I should like to mention one important clause in the Bill which deals with the initiation of schemes. That, to a certain extent, is a new method of dealing with charitable and educational endowments. Hitherto, it has been necessary either for the Governors of an institution to propose a scheme, or for the Charity Commissioners themselves in certain cases to do it. It was found that this, especially in Wales, prevented any new schemes being brought forward at all, and therefore it has been proposed in various ways to create some body, directed by popular opinion in the country, to start new schemes where new schemes are necessary. I think originally we proposed a different scheme to this. A different method for giving initiation to schemes was proposed by the Government of which I was a Member in the year 1885; but since that time a great change with regard to all Local Government has taken place owing to the great measure which was passed by Her Majesty's Government last year—namely, the measure which constituted County Councils throughout England. That gives at once a popular body which can deal with matters of this sort, and though I confess I should have preferred to have seen the initiation of schemes given also to these Councils, I think the compromise which has been arrived at between the Government and those who promoted this Bill is a wise one. Now that the County Councils are started, there is a body created which would be able to initiate any schemes, and also to reform some of the old endowments which have not the confidence of the country. Those two points—namely, that of granting direct assistance to the intermediate schools in Wales, and that of giving a new body, partly elected from the County Councils, power to initiate schemes, seem to me very important points to be dealt with, and I heartily rejoice to see them form part of this measure. My Lords, I shall not detain the House any longer, but I sincerely trust that the hopes which have been entertained in Wales with regard to the possibility of enjoying an enlarged system of intermediate education by a measure of this sort will not be disappointed, but that this measure will bear excellent fruit, and will give the people of Wales who

so much desire it an easy and efficient means of intermediate education for their children.

*EARL FORTESCUE: My Lords, I ask your kind indulgence while I offer a few remarks on this Bill, and I the more require your indulgence because I take the same view which my noble Friend did who answered the Lord President of the Council. I am afraid those views are not shared by very many of your Lordships. My noble Friend truly remarked that now for the first time Parliament is preparing formally to authorise the establishment and maintenance of schools for secondary or intermediate education by means of rates supplemented by grants from the Treasury, which are in no case to be more than equal to what is raised by the rates. As I expected, the principle of aid to education, above mere elementary education, by the State has, it has been urged, been recognised by the grants which have been made latterly to Welsh Universities. The noble Earl who has just spoken gave what he considered conclusive evidence of the value of those grants and of their good effect. I must say it seems to me a very different thing giving a grant to a University which the Welsh would certainly call national — at any rate it cannot be considered as less than provincial—in comparison with the establishment of a number of local intermediate schools supported by local rates. This is the first instance of the extension upwards (with the exception of those grants to the Universities) to the middle class of that system of public educational alms which was initiated as regards contributions by rates from one kind of property only, real property, less than 20 years ago, and which have been supplemented out of general taxation, the original grant, a very small one, £30,000, having been given just half a century ago. The injustice of levying so large a contribution or tax upon one kind of property alone (because ratepayers are none the less taxpayers) does not strike me as nearly so objectionable as the evil of impairing the independence of the middle class, and accustoming them to look to public grants and public aid from the rates as the wage classes have, as I have already pointed out, been accustomed to rely upon them of late years. And, secondly, there is the evil of discouraging—in fact, more than discouraging—of extinguishing, practically, all chance of voluntary gifts or bequests being made for educational endowment. Who does not lament that there has not been in Wales in past times more public spirit and educational zeal shown? Take the rich County of Glamorgan, with its wealth of minerals, and we shall see that Wales has no reason to be proud of that absence of educational endowments which we have just heard described. No one, after these contributions from rates and taxes have been established by Act of Parliament, would, as I say, be at all likely to give or bequeath anything for the purpose of educational endowment; and perhaps all the less, because confidence in the devotion of endowments to the purposes which were dear to those who have founded endowments has been very much shaken by some of the legislation which has taken place latterly. But besides those two evils, there seems to me to be a third, and a very serious one, that of subjecting the higher education of the country, at least the higher secondary education, as distinguished from the elementary, to bureaucratic control. For the first time we find the Education Department brought into official connection with secondary education. The tendency, I fear, will be to increase the applications for grants, and assistance from rates, and with these increased applications, if they are yielded to, will come a very natural, and I cannot say otherwise than a legitimate demand for control and interference on the part of the Government. I know that one ex-Minister of Education, Mr. Mundella, has avowed again and again his earnest desire to see the Education Department entrusted with considerable control over the secondary education of the country. Well, if the Education Department is armed with such greatly increased powers as he and some others desire for it, instead of looking to our great ancient Universities, we shall find those engaged in the secondary and higher education of the country looking to it for guidance and leading. It is quite true that the Universities for a long time were too stagnant and too obstructive; but now for some time they have been awakened to their responsibilities and duties; and now, though

happily independent of State control, they are very much under the influence and guidance of the tide of enlightened public opinion, though fortunately uninfluenced by the mere passing waves of popular blame or applause. It would be in my view a very great misfortune if a Political Department were to supersede the great ancient Universities as our chief guides and leaders in the higher education of the country. But this may be considered, I think, as a step in that direction; my fears may not be all realised, but I would venture to predict that after a great show of advance in the first instance we should find stagnation and routine. I will give your Lordships an illustration. I do not know whether I have used it in your Lordships' House before, but I know I have used it elsewhere, of Brunel's famous block-machinery, which was much in advance of what was known up to that time, and of its continuing to be used and proudly shown by dockyard officials long after it had been superseded and replaced in all solvent establishments by newer and better, and more efficient machinery. I think, my Lords, the same thing would apply to education. And though, as regards really elementary—not what is called "advanced elementary education"—which that high authority, Bishop Temple, says ought to be called "non-elementary education"—such very great changes or advances in the methods of teaching are not likely to be required; anything more fatal to national progress and the development of the national intellect than stagnation or routine in the higher education of the country I can hardly conceive. That, I think, is too likely to be the consequence of the higher education of the country being entrusted to a Political Department. Then, my Lords, there is the further fear of jobbery; because though in the first instance the right man is anxiously sought to fill a new and important post, after a while it is not the man that is sought for the place, but the place that is sought for the man; and political results are often what are mainly looked to even now as they have been in a certain number of instances within my own lifetime. Under democratic Governments, and our own is one which tends to become more and more democratic, we do not find any diminution of jobbery and corruption. In the United States jobbery in political bodies and in administration is a by-word among the educated classes there. In France and Germany the people are weighed down by the heavy weight of taxation, a taxation not merely levied for the support of their gigantic armaments, but also to provide for needless placemen and jobbers in public works. It is this fine end of the wedge as my noble Friend has called it, this introduction of Government aid, and of State and rate aid, in dealing with secondary education that I confess alarms me. I do not mean at all that Her Majesty's Government or its opponents, except perhaps a few of them, are contemplating any such development of the principle involved in this Bill as I have described. I believe the history of it is very much more simple. We now find Wales putting forward a plea of poverty, The Welsh found the Irish putting forward claims on the ground of poverty, and getting, by a certain amount of lawlessness and by much clamour, a great part of their demands. Accordingly Wales sought also to get something from the Public Treasury. The Government, besides this object of advancing Welsh secondary education, has undertaken the task of conciliating Welsh feeling in emulation of their opponents who, it is notorious, attributed to the opposition of the Tory Party, a good deal of the delay of this measure, which, whatever it did for education, it was likely to cause a considerable amount of public money to be spent in Wales. But what we have had urged on behalf of this Bill, founded on grants to the Welsh Universities, shows how very readily precedents of this sort are followed. As my noble Friend said, it is in vain for us to resist this measure, supported, as it is, by Her Majesty's Government and by their predecessors, who had previously themselves brought in a measure very much of the same kind. All we can do is earnestly to protest against it, and to entreat the Government to reflect on the very serious consequences of the further development of the principles involved in this Bill.

THE DUKE OF ARGYLL: My Lords, as I believe no noble Lord intends to move the rejection of this Bill, or to give it really any serious opposition, and as I believe that all the noble Lords who

have spoken agree that the Welsh people are much interested in the results which will flow from this measure, I think it is a great pity that such a Bill as this should pass, or should appear to pass, in this House in any grudging spirit. I think, as long as we are a United Kingdom, there can be no harm in the Government doing as my noble Friend has accused them of doing, for it was almost an accusation—that is to say, conciliating Welsh feeling in this matter. And there is no doubt, as the Lord President of the Council has said, that the circumstances of Wales in this matter are peculiar. My Lords, I have every sympathy with the opinion expressed by the noble Lord who began this discussion, that we are very apt to adopt new principles in incidental Bills, which may afterwards have a wider application. But I am afraid that is the whole history of English legislation. The English people do not go in for grand principles all at once — they go step by step. That has been the whole history of our Constitution. Still, when I look at this Bill which it is said embodies a principle now for the first time introduced, I am not struck with the great dangers which are involved by it, as my noble Friend has urged, or with the mischievous tendencies as he has pointed out of the new principle embodied in this Bill. He says it is a new thing, absolutely new, for the State to give public money for intermediate education. My first question is what is meant by intermediate education? Is it possible to draw any clear line of distinction between the elementary education below, and the superior education above? Where does elementary education end? The Government has given State money both for the lower education, and for the higher education. But our whole system is one in which primary education is mixed with intermediate education. I may recall that under the old parochial system of Scotland it was quite common for boys to go high up in Latin, Greek, or mathematics for a very small addition to their fees. Those primary schools in Scotland were endowed by the State, and the Universities were also endowed by the State. By a Bill which is now in your Lordships' House a further sum of £41,000 a year is to be given to higher education in Scotland in its Universities. Now, my Lords, I ask what is the abstract basis of a principle which attempts to draw the line between primary education on the one hand, and superior education on the other, and distinguishing intermediate education for the middle classes. If your Lordships look at this Bill you will see that practically no line is drawn except to exclude schools which teach nothing but the three R's. It provides that—

> "The expression intermediate education means a course of education which does not consist chiefly of elementary instruction in reading, writing and arithmetic, but which includes instruction in Latin, Greek, the Welsh and English language, and literature, modern languages, mathematics natural, and applied science, or in some of such studies, and generally in the higher branches of knowledge, but nothing in this Act shall preven the establishment of scholarships in higher or other elementary schools."

No line is attempted to be drawn there, and I hold it is impossible to draw a line between these different kinds of education. My Lords, this Bill is needed for Wales; it is adapted to Welsh circumstances, whether they have or not the original endowments which we possess, and I see no reason not only why we should decline to assent to this Bill, but why we should not assent to it heartily and willingly.

LORD KENSINGTON: My Lords, I should be very loth that this Bill should be read a second time without taking the opportunity to say I deeply regret that the noble Lord who spoke from behind the Government Benches should have thought it his duty to make the strong attack which he did upon the Nonconformists of Wales. I think it is a very great pity for any sectarian quarrels in any shape or form to be introduced in discussing a measure of this kind, which has been demanded for years in Wales by Nonconformists and Churchmen alike. I will not follow the noble Lord into that matter in any shape or way. I merely wish to say that I think he was mistaken in the view he propounded to your Lordships that grants from the State in aid of these intermediate schools would have the effect of stopping private enterprise in such undertakings. Has the past shown that such is the case? As soon as the Government gave grants to the Colleges of Bangor, Cardiff, and

Aberystwith, large sums of money flowed into those colleges either as donations, subscriptions, or endowments. I confidently believe that when this measure becomes law the same thing will take place as regards intermediate schools of the future. I hope the Government will not think it presumptuous on my part if I venture to tender to them my best thanks for the interest they are taking in the question and the support they are giving to this measure. I believe it will prove the greatest blessing to the country. I hope the noble Duke also will allow me, as a Welshman, to tender him my best thanks for the speech he has made, if I may venture to do so. I should say that I myself would have preferred that the whole of the members of Committees should have been appointed by the County Councils; but, still speaking for myself alone, I most willingly, frankly, and freely accept the compromise. I go still further, and I say that I believe it will work well, and that I am sure Wales will be greatly benefited when this measure becomes law.

Motion agreed to.

Bill read 2ª accordingly, and committed to a Committee of the Whole House on Thursday next.

LOCAL GOVERNMENT (SCOTLAND) BILL. (No. 179.)

House in Committee (according to order.)

Clauses 1, 2, and 3 agreed to.

Clause 4.

THE EARL OF MINTO: My Lords, the perhaps rather impertinent Amendment which I have to submit to your Lordships has for its object the correction of two faults as they appear to my mind in the construction of the County Councils, and in the position of the County Councils. The first fault which I think exists in regard to these Councils is that, under the present constitution, there is likelihood of too little variety in the character of the representation under the system proposed, because there is too great a uniformity in the electoral divisions under this Bill, and the persons returned from them I think are likely to be too much of the same class and description. I think if you add to such electoral divisions under the Bill the duty of electing one member for the County Councils in country districts the representatives from those electoral divisions will be of a very monotonous and uniform class, and I think a little variety in the representation would be desirable. In that point of view I suggest that the Parochial Board of each parish should nominate one representative to the County Council. The words by which I propose to effect this object are the identical words which are used in the Bill itself in regard to the constitution of the District Councils. I think, my Lords, by adding that to the representation already proposed by the Bill, you would give variety of the representation. Then I have this other object in view, and I think it is the more important object of the two; in my opinion the County Councils are too narrowly restricted in point of number. In proposing to reform old institutions, I think it is desirable that you should as much as possible found your reform on the old lines which have prevailed in the country before. We have had County Government in Scotland for a great length of time, only not of the popular description now in vogue; but as a matter of fact the County Government in some counties has been under the superintendence, at all events, of a very considerable number of persons. The numbers have not been very greatly restricted. So long ago as the last century, and down to 1832, the persons entitled to take part in the County Government were all the freeholders, large and small, if I am not mistaken. It is quite true that, practically, only a small number of those freeholders did trouble themselves with the county administration, but there were no disabilities or restrictions upon the whole number taking part in it if they chose, and, in fact, the governing body was rather a numerous body than a very narrowly-constituted body such as is proposed by this Bill. Up to the year 1832 the whole of the freeholders were what one may call the governing body of the county. In 1832, in the Reform Bill of that year, a clause was inserted handing over the duties and functions of those freeholders to what were called Commissioners of Supply. The chief qualifications of the Commissioners of Supply at that time was the possession of land or heritages to the value of

£300 a year. This went on for 22 years. Far from being alarmed in those days at the number of persons who were qualified to take part, though they frequently did not all do so, in the County Government, in the year 1854 the numbers of those persons were very largely extended. The qualification of Commissioners of Supply up to the year 1854 was the possession, as I have mentioned before, of lands or heritages of the value of £300 a year. At that time, by a Valuation Bill applying to Scotland, the qualification was lowered to £100 a year, and so I believe it remains at the present time. There are many reasons why it is not desirable to limit the number of these County Councils. I cannot understand the alarm which seems to be felt by the Government in so narrowly limiting their number. It is very undesirable, I think, that you should prevent people, who have a right to take part in County Government, participating in it. I am not acquainted practically with more than one or two counties, but I am perfectly certain that I have never seen the least inconvenience arise from the fact of the numbers of the Commissioners, though they are considerable, being so large as they are. I think as regards counties you should consider that you have to take your members for the counties from long distances, and that it is sometimes extremely inconvenient for them to attend; and it is on that ground inconvenient, I think, to limit the number of persons who might devote themselves to the business of County Government. Then you may often have a difficulty in finding persons to do Committee work, and sometimes difficulties may even be experienced in finding a quorum. Those occasionally are matters of difficulty, and the result is that persons in the immediate vicinity of the town are more called upon to act, and that those who live at a greater distance do not take the part which it is desirable that they should do in carrying on the work of County Government. I wish to show, my Lords, how very large and serious the reduction of numbers is according to the scheme under this Bill. It is very possible that persons who are connected with the large and populous counties may have an experience different from mine, but I wish merely to show how great the change is in point of numbers under this Bill. I will go to the largest county, though I admit it is scarcely a fair test, as it is quite an exceptional county, and that is Lanarkshire. The number of Commissioners of Supply there is 674. The proposal under this Bill is that the Councillors shall be 90 in number. According to my proposal, which is that one representative should be added to the Council for each parish within the county, that would add 40 more members to the County Council, and even adding that number would only bring such a county as Lanarkshire up to the total of 130 instead of the 674 persons who are at present privileged to take part in the County Government. Then in the other counties the same contrast prevails. In Ayrshire there are 310 Commissioners of Supply, and the proposal under this Bill is that the Council shall be only 52 in number henceforth. I would, by my proposal, add 40 representatives of parishes, and that would bring up the total to nearly 100. I maintain that nearly 100 Commissioners for so large a county as Ayr is not too numerous. It is, in fact, a very small number to appoint. I will not go through all the other counties, but I may mention that in the county of Perth there are 263 Commissioners of Supply, and the proposed number of Councillors for that county is 50. Fife has 242 Commissioners of Supply, and the proposed number of Councillors is 60, and so on in the same rate of proportion. I think your Lordships will agree that that is a very large diminution indeed. Then for the less populous parts in the South-East of Scotland, in which I am more interested personally, and which I have greater knowledge of than other parts, the county of Berwick has 92 Commissioners of Supply, and it is only henceforth to have 34 County Councillors. If my proposition were accepted, 32 more would be appointed, making 66 in all. Then the county of Roxburgh has 155 Commissioners of Supply, and the number of Commissioners will be 36. So that you are to choke off two-thirds of those who have already had the duty of attending to this county business, and unless there is some very good reason for such a large diminution I venture to think that the proposal which I make to increase their numbers is a very desir-

able one, and accordingly I move the Amendment which stands in my name.

Amendment proposed, page 1, line 16, to leave out "the Councillors of."—(*The Earl of Minto.*)

THE SECRETARY FOR SCOTLAND (The Marquess of LOTHIAN): My Lords, I have listened with the greatest interest to the remarks of the noble Earl in moving his Amendment, but I am bound to say that all he has stated might, it seems to me, have been much better said on the Second Reading of the Bill, because the whole of his proposal would go directly against the principles of the Bill as it has passed the House of Commons and in this House the other evening. The whole principle of the Bill is that the counties of Scotland should be divided into single electoral divisions, and that each one of them should return a single member. The noble Lord's first remark was that there would not be sufficient variety under the proposals contained in the Bill. I do not know that the proposal of the noble Earl—namely, that in every single district there should be members from the Parochial Boards, that is to say, from every parish, would introduce variety. I think no variety would be added by that; and not only do I think so, but I think that under the proposals of the Bill there will be sufficient provision for variety in the representation on the Councils. I do not think, therefore, that the proposal of the noble Earl would have any beneficial effect. Then the noble Earl objects also to the reduction in the numbers of the County Councils. As I said just now, the whole principle of the Bill is not directly to reduce the number of those who would have to administer County business, but, as a matter of fact, the principle and object of the Bill is to transfer the powers at present exercised by existing to new bodies, and I think the figures given by the noble Earl himself go rather to show that the proposals in the Bill will have rather a beneficial effect. He stated that in the county of Lanarkshire there are 674 Commissioners of Supply. Now, the House of Commons consists of only 670 Members, and does the noble Earl really mean to say that to administer the county business of Lanarkshire requires as many representatives as to administer the entire business of the United Kingdom of Great Britain and Ireland? I think in the County of Lanarkshire, at any rate, it is very desirable that the business of the county should be administered by a smaller body than now exists, and, as I have indicated before, I am quite unable to accept the proposal of the noble Earl. It would be quite contrary to the spirit of the Bill, and it would entirely upset the constitution of the County Councils; because, if that were carried out, the leading members or some of the most important members of them would be those not selected by the county, which is the intention of the Bill, but those selected by the parochial bodies. As I have said, that would be entirely contrary to the principle of the Bill, and on those grounds I am afraid I am unable to accept the proposal of the noble Earl.

THE EARL OF MINTO: I may remind the noble Marquess that on the Second Reading of the Bill I took occasion to pronounce a strong eulogium on the manner in which the present system has been worked in Scotland, and that system was one by which much larger numbers were qualified to take part in the county business than actually did take part in it. The tendency of that was that the persons who did participate and give their time to the business of the county, did their work well and efficiently, though the great majority of the 674 were absent. The great majority of the Commissioners of Supply in Lanarkshire stayed away, but others did the work exceedingly well. I have the noble Marquess's own voucher in support of that statement.

Amendment negatived.

LORD NAPIER AND ETTRICK: My Lords, in moving the Amendment which stands in my name, I have only to point out that the principle adopted by Her Majesty's Government in framing this Bill, is that there shall be one Member for each electoral division. I think, in this respect, it may be regretted that there is the disadvantage attached to this system, as it appears to me, that in Scotland, at least, it will make a contest, in the first instance, almost inevitable in every place, and if you had larger electoral divisions each represented by two members, a door would be

opened to conciliation and compromise between different parties and different persons representing different interests, and I think that there would be very likely, in some cases, at least, a harmonious agreement to elect representatives to represent the different interests. At the present moment there will be certainly a greater number of contests under this system as proposed by Her Majesty's Government. Contests are to be regretted in themselves, they are a positive evil, first, inasmuch as they will be productive of a considerable amount of expenditure, and secondly, because they will leave animosities and misunderstandings behind them. But in addition to this, I agree with my noble Friend behind me that the result of the various contests of this nature in Scotland will very possibly be the election of persons of a very inferior character. In these small electoral divisions contemplated by this Bill in Scotland there will probably be in numerous cases—in almost every case—a majority, sometimes perhaps a small majority, but still a majority, of a single complexion. I think it likely that the result in many cases will be the election of a uniform class of persons in whom there will be a very inadequate representation both of Conservative feeling and of proprietary interest. My Lords, I do not wish to embark on the perilous course of political prediction, in which persons of much better judgment than myself are apt to be confuted by the event, and I trust the results of the present measure may be better than those which I anticipate from the want of variety in the character of the persons elected. But, at any rate, the Amendment which I have laced upon the Paper does not contemplate any radical alteration of the principle which has been adopted by Her Majesty's Government. I do not attack the general principle here of one Member for each electoral division. My Amendment contemplates conferring a discretionary power upon the Secretary for Scotland to meet a difficulty which I am afraid will be found in framing these electoral divisions. I think there are small counties in Scotland in which the persons charged with the duty of framing the electoral divisions will not find it possible to so constitute a sufficient number of those electoral divisions if they are properly constituted as to give a sufficient number of persons to form an efficient County Council. I instance, as examples of those small counties, the County of Selkirk, the County of Peebles, the County of Nairn, the County of Kinross, the County of Bute, and some others. I will take the County of Selkirk as an example with which I am more particularly familiar, as I am connected both by birth and property with that county. My Lords, I understand it is the intention of the Secretary for Scotland to adopt 20 as the minimum number of members of the County Council. Let us see how that principle will be applied to the County of Selkirk. The noble Marquess proposes, I believe, to have 12 electoral divisions in the county, and he intends to add to those, eight delegates from a single Royal and Parliamentary burgh in order to complete this minimum number of 20. Now what is the constituency in the County of Selkirk? There will be approximately 759 voters who are to select 12 County Councillors. Divide 756 by 12 and you will find there will be only 63 electors for each electoral district, a very inadequate number as it seems to me. But I would ask the noble Marquess to consider this. The complement of 20 in the County of Selkirk is filled by sanctioning eight representatives from a single Parliamentary burgh, and that Parliamentary burgh at this moment has less than 7,000 inhabitants. But my Lords in a very short time, probably before two years have elapsed, the Burgh of Selkirk will have more than 7,000 inhabitants, and then that burgh will have a claim—I do not know whether that would be so absolutely, but certainly an equitable claim—to be withdrawn from the county and to become a perfect municipality by itself in all respects. The eight representatives must therefore be struck out of the County Council, and then how will the noble Marquess get eight representatives to make up the 20 from the County? He will have to divide this little thinly populated county into 20 electoral districts, and in that case each representative will be elected by 38 persons! Now I think that is really reducing matters to an absurdity, and the same result will, more or less, be discovered in other counties. I do not think I need go into particulars on the subject. My proposal is to give to the

Secretary for Scotland a discretionary power of sanctioning the election of two representatives for one electoral division when he finds that properly-constituted electoral divisions cannot be formed and that the proper number of competent Councillors cannot be elected upon that system. The power given to the Secretary of State is simply a discretionary power only to be used in case of necessity. I beg, my Lords, to move the Amendment which stands in my name.

Amendment moved in sub-section 1, page 1, line 20, after "electoral division," insert—

"In case, however, the Secretary for Scotland should be satisfied, after due inquiry, that under the foregoing provision, in consequence of exceptional conditions affecting any county, a sufficient number of County Councillors for the efficient transaction of business would not be obtainable, it shall be competent for the Secretary for Scotland to direct the election of two County Councillors for each electoral division in that county."—(The Lord Ettrick [*Lord Napier.*])

*LORD WATSON: My Lords, I should have thought that there was a great deal to be said in support of the Amendment of the noble Lord if this Bill had not already made provision against the evil which he anticipates. He fears, apparently, an absorption in course of time of part of the county constituency in burghs. If that should be the case it would be competent for the Secretary for Scotland at once to double the number of the County Council by directing that two County Councillors should be elected for each division instead of one. My Lords, the 50th section of the Bill provides that

"On the representation of a County Council"

—which I apprehend will be the first to experience the want of members—

"or of a Town Council the Secretary for Scotland may at any time, after the expiry of the powers of the Boundary Commissioners, by order provide for all or any of the following things:"—

I need hardly read them all, but the first Sub-section (*a*) is—

"For altering the number of County Councillors, the number, contents, and boundaries of electoral divisions, and the assignment of Councillors to counties and burghs."

It appears to me that these provisions are amply calculated to meet the evil which is anticipated should it ever exist, and that it gives a discretion of a much more unlimited kind than the noble Lord proposes, because it does not direct that the Council shall be at once doubled, but that such number of members shall be dded to it as shall be necessary to make it an efficient body.

LORD NAPIER AND ETTRICK: As I read it, this clause does not authorise the election of more than two representatives for each electoral area.

*LORD WATSON: That is so, but that it seems to me is not an unqualified evil. Power is given to deal with electoral divisions as well as with the number of representatives.

LORD NAPIER AND ETTRICK: Then you will reduce the constituency to so small a number that there will be a representation for 10, 20 or 30 electors; so that you will produce this inevitable result that in the County of Selkirk there would be a representative for 38 persons. It seems to me that would be a ridiculous result, and I would ask whether it would not be better to have more representatives for a larger area than a single representative for so small an area.

THE MARQUESS OF LOTHIAN: My Lords, there is, no doubt, a great deal to be said in regard to the force of some of the remarks of the noble Lord opposite. But at the same time, I must point out that in introducing his remarks he at once traverses the principle of the Bill that there should be one representative for the area. That is the principle which he objects to having enforced.

LORD NAPIER AND ETTRICK: In exceptional cases.

THE MARQUESS OF LOTHIAN: In a Bill of this kind it is undesirable to have exceptional cases, and I think it is very much that the principle of the Bill should be carried out throughout from beginning to end. With regard to the county of Selkirk, of which the noble Lord has spoken, he is perfectly right in saying that 20 would be the minimum number of Councillors, but, at the same time, I have pointed out that there is nothing final in that number, and that the Secretary for Scotland has power to increase or decrease those numbers to whatever may be thought desirable in the interest of any County Council. If it turns out that the representatives for the County of Selkirk are too small in number, it is quite in his

power to divide that county into smaller districts with a larger number of representatives. With reference to what the noble Lord has said with regard to the possibility of there being only 38 electors for each County Councillor under the Bill, I have pointed out that as the Bill stands there is no provision for taking out of the county a burgh which may increase its numbers. At present the burgh which he refers to has less than 7,000 inhabitants, and it will continue therefore to remain in the county; so that I think his fear will not be realised. With regard to the districts, if the districts are to be so lessened as to be reduced to the number of 38 electors, it would come to this, that instead of 38 individuals electing one County Councillor, under the noble Lord's proposal 76 electors would elect two County Councillors; it would be very much the same thing. I do not think there is any great difference in the result. Having pointed out that it is entirely in the discretion of the Secretary for Scotland at any future time to settle the number of the County Councillors, so that if there appear to be too many he can reduce the number, and if they are too few he can increase them; I think, under the circumstances, as that can be done, it is undesirable to alter the principle of the Bill. I would, however, point out this, that should it appear desirable in any future case to empower the Secretary for Scotland to deal with differences under his powers, there is nothing to prevent his powers being added to if necessary by future legislation. If the noble Lord objects very much to the position of the County of Selkirk in particular, I would suggest this to him, that the whole of his remarks would tend to the County of Selkirk being added to one of the neighbouring counties.

Amendment negatived.

Clause agreed to.

Clause 5.

THE EARL OF CAMPERDOWN: My Lords, this clause gives to the Secretary for Scotland the power of determining the number of Councillors to be elected to the County Councils, and on this I only propose to say one word. The noble Lord has referred us to a paper which contains his first idea of the numbers which he thinks are the proper numbers for the Councils of the various counties. I could not have supported either of the Amendments which have just been moved, but at the same time I am bound to say there is a good deal of argument to be put forward upon both of them, because your Lordships will remember that the Commissioners of Supply are the body who have hitherto conducted the administrative business of the counties. In every case the Commissioners of Supply enormously exceeded the numbers of the Councils which are proposed for the future. One does not expect, of course, that all the Commissioners of Supply should take an active part in the business, or that they should have an understanding of all local business; but there is a great difference between such a body as was spoken of by the noble Lord in Lanarkshire—namely, 674 Commissioners of Supply—and such a body as 55, which is proposed for the Council by this Bill. I wish to point out to your Lordships my reason for thinking that the noble Lord has cast his figures a good deal too low with regard, I might say, to all the counties. I take this objection here because I think it is the most useful course that I can take; and I hope the noble Lord will take some means of ascertaining what really are the wishes of the people in the various counties upon this matter. I do not mean for a moment, of course, to suggest that the wishes should be studied of unreasonable people who consider that their county will be distinguished or otherwise in proportion to the number of County Councillors elected. I do not say that their opinion ought to be listened to. But, on the other hand, I am quite certain that the numbers at present proposed will not give popular satisfaction, and I must say that I think myself that they are too small. I hope the noble Lord will take some means or other of ascertaining this, and that he will, at all events, listen to any representations which may be made to him. For instance, I can quite conceive that the Commissioners of Supply, after seeing this paper, will themselves meet or will appoint a Sub-committee to make a representation with regard to its contents. Of course, the Commissioners of Supply represent owners only, but there are other public bodies such, for instance,

as the Road Trustees, who represent tenant farmers as well as owners. Again, I may take such an authority as the Local Authority with regard to the administration of the Cattle Diseases Acts. I hope the noble Lord will listen to any representations which may be made by any public bodies of the sort; because, after all, we have only one object in view now that we are giving a largely increased popular representation in this matter of county government—we want the Bill to be such as will satisfy the country, and I would point out that, while it is perfectly true that the numbers of the County Councils might be made too large, yet, on the other hand, if we make them too small, as is proposed by this paper, I am confident we should have a number of most unnecessary and objectionable contests. I think that is a very important point indeed, because in the counties of Scotland we have a number of men who have been in the habit of attending to county business, and have distinguished themselves in that Department, such as the business of the Road Trustees, and other business of local importance of a similar character; and it is most important, I think, that those men should be on the new Councils. It is most important they should not be opposed, if possible, but if we restrict the number of seats there will be a great many persons who, for the first time, will see a chance of getting on the Councils, and who will come forward not caring whom they supplant. The result will be a large number of contests, and in many cases possibly, the election of most undesirable County Councillors who ought not to have obtained seats. I have thrown out these remarks for the purpose of inducing the noble Lord to consider this matter, and to consider whether he is not putting the limit of numbers too low. I think it would give general satisfaction in Scotland if he found himself able to say that if representations are made to him by public bodies or by individuals such as I have suggested he will give them consideration.

THE DUKE OF ARGYLL: Before my noble Friend answers, I should like merely to say this. I have not studied very closely the Paper which he has laid on the Table of the House, and which is to be obtained in the Vote Office, but I believe it gives a *résumé* of the intended numbers for the counties. I would earnestly suggest that the noble Marquess should not be in too great haste to fix the numbers, but that he should hold himself open to listen to recommendations from the various counties, public bodies and persons interested. We must remember that the whole of this is an experiment. We have had a stereotyped system in Scotland which has worked admirably. We were not there as regards County Government in the same position as they were in England. We were not in a state of chaos. Our County Government powers were not scattered among half-a-dozen different bodies. Undoubtedly this system is somewhat of an experiment. I confess I do not quite sympathise with my noble Friend, Lord Minto, who seemed to wish to have the numbers of these bodies increased, so that they would be almost like great Local Parliaments. He mentioned the case of the County of Lanarkshire, which, under the existing system, has between 600 and 700 Commissioners of Supply, but I should like to know from him, whether he can give the House any information as to the numbers of those Commissioners of Supply who have really attended to the county business. I apprehend that a very small number of those 600 or 700 Commissioners of Supply have ever attended or given their attention to the business of the administration of the county. I may say that I am acquainted with what goes on in one of the largest counties in Scotland—namely, Argyll. We have there a very large number of Commissioners of Supply, but I know that the business of the county has been conducted by very few of them. I do not think I ever saw more than 40 members assembled at Inverary to conduct the county business, and generally the business was conducted by about 30 to 35 gentlemen. And why did not the others attend? Simply because they had perfect confidence in those who did attend. But I am afraid that confidence will not be given in the new Councils at first. Undoubtedly it is an experiment. There is, I think, a good deal to be said upon the suggestion of my noble Friend that as such large powers are given to the Secretary of State he should add to the districts, and not cut up the counties into districts as proposed. But in many

cases that would be ridiculous. I will take Selkirk as an instance. A large part of the County of Selkirk is purely pastoral. It is a mountainous district. People talk of the Highlands as being cleared of population, but in that respect they do not compare with Selkirk. My noble Friend himself has not a single crofter on his property in that county. The whole county is divided out in large farms, and it would be impossible for it to be cut up into smaller divisions. I do, therefore, urge very strongly that the noble Marquess should not be in a hurry to make up his mind conclusively on the question how many Councillors should be appointed, and how many divisions there should be for each of the Scotch counties.

LORD NAPIER AND ETTRICK: In Selkirk the work is usually done by some 50 or 60 Commissioners of Supply; but when a vacancy has to be filled up a large number of them attend.

THE EARL OF ELGIN: My Lords, I should like to say one word with regard to the County of Fife, with which I am intimately connected, because I see the number of Councillors put down by the noble Marquess for Fife is 60, which I quite admit is large enough for a County Council. I do not agree with the noble Earl in wishing to see these Councils composed of very large numbers. But what I should like to point out to the noble Marquess is this—that of those 60, 44 only represent the county itself, 16 being representatives of Royal and Parliamentary burghs. I will point out to the noble Marquess that there is a portion of these bodies—namely, the District Councils, on which the parochial representatives are to sit. When you come to that part of the Bill you will find that in the County of Fife we shall have considerably fewer representatives than those from the parochial bodies. Under those circumstances, we shall find that what was intended to be the superior body—namely, the County Council, will be in a difficult position as regards their relation to the District Council. I mention this matter to the noble Marquess for his consideration. In the County of Fife there are 63 parishes; therefore, the whole 60 members whom he has allotted to it would not give one representative each to the parochial bodies. I think it might be well to consider before the number is absolutely fixed whether that number should be increased or not.

THE EARL OF MINTO: With regard to what the noble Duke has said, I think he rather misapprehended my Amendment. I stated that Lanarkshire is an exceptional county, and that there are at present 674 Commissioners of Supply in that county; but even if the proposal I make were adopted, that every parish in the county should send from its Board one representative, in that very large county that would only amount to 130 persons. Now, I do not think 130 representatives are too numerous for such a county as Lanarkshire.

THE MARQUESS OF LOTHIAN: My Lords, the main object, as I understand, of the observations of the noble Lord, is that in many instances the number of the County Councillors would be too few as compared with the number of Commissioners of Supply. That point really arises upon the principle proposed by the Bill; but that proposal and principle not only affect Scotland but England. The Local Government scheme for England of last year had exactly the same effect; the number of Councillors now is not at all equal to what the number of Magistrates had been under the previous system. In answer to the appeal of the noble Earl and the noble Duke, I would merely say that this proposal which I have laid on the Table of the House is purely a provisional one. So far as the observation of the noble Duke goes, as he has anticipated, I have taken the opinion of those who are really responsible for the government of the counties in the matter; but, at the same time, as I have said, the proposal is purely provisional, and I should be glad if, as has been suggested by the noble Earl, the Commissioners of Supply or other bodies or individuals would send the Government their views as to what they consider the proper number for constituting the Councils. I may say that the principle on which I went in drawing the provisional plans now before your Lordships was this. First I took the number of parishes in the county, and having ascertained the number of the parishes I proposed to give one representative to each parish. Having then taken the population of the parishes into consideration I proposed, as nearly as possible, to give a proportionate repre-

sentation to the burghs which sent representatives. That was the general basis upon which I proceeded in accordance with the views of the counties themselves. As the noble Earl has stated, the number of representatives from the County of Fife does not quite coincide with the number of parishes, and this affords an example of a case in which, on the representations of those locally interested, I have made a variation in the original proposal.

LORD HERSCHELL: My Lords, as the noble Marquess has referred to the case of England, I should like to say a few words with regard to the county representation here. I was in several of the English counties last autumn, and I found considerable dissatisfaction existing with regard to the number of County Councillors. It was thought they were fixed too low. It may be that the people in the counties have since become reconciled to the smaller numbers, but I think it would be worth while if the noble Marquess would ascertain what has been the expression of feeling generally upon that point.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): I cannot entirely join with the noble Lord in that view. My impression is that the feeling he has referred to will become very materially modified after the first meetings of the Councils have been held. It is a very different thing wishing to become a member of a large body, and afterwards finding that the room is, perhaps, too small for their accommodation. I think that might be found to be the case, and that prudence would cause them to deprecate any increase in their numbers.

Clause agreed to.

Clauses 6 and 7 agreed to.

Clause 8.

THE EARL OF MINTO: Before Clause 8 is finally disposed of, I should like to hear from the noble Marquess generally what his views are as to the destiny of that class of burghs which are contemplated by this clause. Burghs having more than 7,000 inhabitants at this moment are endowed with the whole constitution and privileges of independent communities; but burghs having at the present moment less than 7,000 inhabitants are incorporated, and perhaps wisely, for certain purposes with the counties in which they are situated, retaining, however, their independent Town Councils for their internal and domestic affairs. Some of the burghs in Scotland having more than 7,000 inhabitants are comparatively stagnant or reactionary burghs, places which have, in fact, no distinctive industrial character, and which are not in a state of progress; but some of those burghs which have very nearly 7,000 inhabitants are burghs which are extremely active and progressive, and their populations are increasing very rapidly; and I would like to know from the noble Marquess what is to become of them when they shall have more than 7,000 inhabitants. Why are they not to have all the privileges which are accorded to burghs of 7,000 inhabitants at the present moment? Supposing a burgh having only 7,000 or less than 7,000 inhabitants acquires in two or three years' time a population of 8,000, 9,000, or 10,000 inhabitants, with every indication of progress in population and constitution. Are they not to have the power of acquiring the independence and the status accorded to other burghs which would then in those respects be inferior to them? The noble Marquess has under Clause 50, as Secretary for Scotland, very large powers of altering and of giving new limits to co-institutions; but I would ask ought not the burghs themselves to have some claim to a more perfect constitution? Does he intend to keep these burghs of more than 7,000 inhabitants as part of the counties in future?

THE MARQUESS OF LOTHIAN: The question raised by the noble Lord is a very wide one. As the Bill stands there is no power to do what he suggests, namely, to give to burghs of less than 7,000 inhabitants, but which are likely to increase in population, additional powers so as to put them in the position at present of Royal burghs of above 7,000 inhabitants. I presume the noble Lord is referring only to the Royal burghs?

THE EARL OF MINTO: Yes, to the Royal burghs.

THE MARQUESS OF LOTHIAN: Then I would point out that 7,000 is the number which has been fixed by the Bill in consequence of a recommenda-

tion of a Committee of the House of Commons in regard to the Burgh and Police (Scotland) Bill of last year. They fixed 7,000 as the number under which it was desirable that boroughs should not have their police management. At the same time 7,000 is a very low number, and while that number has been adopted as regards existing burghs, I think there is no reason why the number should be altered even if the population increases. In England the number where the burghs have their own police management is fixed at 25,000. However, that is the provision in the Bill, and there is no power to make any alteration in it at present. Of course, if any burghs should increase in wealth and population so far as to make it desirable that there should be a change made with regard to having the control of their own affairs, there is no reason whatever why a Bill should not be brought into Parliament for that purpose.

THE EARL OF MINTO: It would require a special Act.

THE MARQUESS OF LOTHIAN: No doubt it would require a special Act.

LORD HAMILTON: The noble Lord has said, as I understand, that this Bill refers only to Royal burghs.

THE MARQUESS OF LOTHIAN: To Royal and Parliamentary burghs.

LORD HAMILTON: Then I would point out that he has just put an Amendment into the Bill which uses the words "any burgh." He does not say "any Royal burgh." I merely want to know whether that is a mistake or not.

THE MARQUESS OF LOTHIAN: It is meant to refer to Royal Burghs in that clause, not to Police Burghs.

LORD HAMILTON: Then I do not understand why the word "Royal" is not used here.

*LORD BALFOUR: There are a certain number of burghs which are not Royal burghs, but are Parliamentary, and under this Amendment they are put under the same category.

THE MARQUESS OF LOTHIAN: That is so. The Royal and Parliamentary burghs are put in the same category.

Clause agreed to.

Clauses 9 and 10 agreed to.

Clause 11.

LORD HAMILTON: On this clause the Amendment which has been put down by me on the Paper is with regard to the levying Income Tax. It is, to insert the words—

"And provided that nothing in this Act contained shall affect the powers and duties of the Commissioners of Supply with respect to the appointment of Commissioners for general purposes under the Property and Income Tax Acts, the assessing and levying of the Land Tax, and the division and allocation of old valued rent."

We have a very good system for that purpose in Scotland, which works well and economically, and I am told that, without some Amendment in this Bill, that system will be upset. I am also told that, unless some means are taken for filling up the Returns to the Income Tax Commissioners, we shall be in the happy position in Scotland of not paying Income Tax at all.

Amendment proposed, in page 4, line 26, after ("mentioned") insert—

("And provided that nothing in this Act contained shall affect the powers and duties of the Commissioners of Supply with respect to the appointment of Commissioners for general purposes under the Property and Income Tax Acts, the assessing and levying of the Land Tax, and the division and allocation of old valued rent.")—(*The Lord Hamilton of Dalzell.*)

THE MARQUESS OF LOTHIAN: I think what the noble and learned Lord has stated answers the objection. Under the Bill the body of Commissioners of Supply is kept up for one purpose only, namely, that of electing members to the Council and this would give them other powers not contemplated by the Bill. The noble and learned Lord has pointed out that the powers and duties are transferred under section 101, and therefore the fears expressed as to the non-payment of Income Tax will not be verified.

Amendment (by leave of the House) withdrawn.

Clause agreed to.

Clause 12.

THE EARL OF ELGIN: My Lords, on Clause 12 I confess I should almost have preferred to take exception to that clause altogether, because it appears to me to be one of the blots remaining on the Bill. But this matter was discussed in another place, and the Government seem so determined to stand by the arrangement that I think it scarcely worth while to move an Amendment for

the omission of the clause. At the same time I desire to enter my protest against this particular arrangement. With regard to the clause as it stands, it appears me to that it is almost unworkable. The noble Marquess on the Second Reading of the Bill pointed out that the Commissioners of Supply at present were the chief administrative body in the county, and he paid what I think was a very fairly deserved compliment to the manner in which they have discharged their duties. All those powers of administration are now swept away from the Commissioners of Supply entirely by this Bill, because, although there is a reservation as to those powers in Clause 11, that clause is not with regard to the Commissioners of Supply in the future, but with regard to the Joint Committees. Therefore the Commissioners of Supply will not be in future as in the past, members of an administrative body, but their representative will only be one of an electoral body. The Commissioners of Supply simply become an electoral roll. I venture to say there will be considerable difficulty experienced in the management of this electoral roll of the Commissioners of Supply. It is an entirely voluntary arrangement, and as it stands, I think it will not answer. I know from experience that gentlemen do not take the trouble to enrol themselves on such a roll, because I know many cases which have occurred within my own knowledge in which gentlemen whom it was desirable to have on certain committees in the county could not be put on those bodies, because they had not taken steps to enrol themselves on the list of Commissioners of Supply. There is no public official to do it, and it is left entirely to the Commissioners of Supply themselves. I do not see why that should be the arrangement under this Bill, and the more so as the Government themselves under the measure with regard to parochial bodies which they introduced into the other House, had an arrangement which would have been perfectly sufficient for the purposes of this Bill, that is to say that there should be a separate column under the head of "owners," in which would be placed only those who had that qualification. I do not see why if the Government insisted upon having a list of those owning a certain franchise they should not have done the same in this Bill, and thereby have obtained a regularly-framed roll. The only reason I can suggest for the course the Government have taken is that they wish to shelter themselves to some extent behind the time-honoured name of the Commissioners of Supply, and so give the Joint Committees to be established a little more dignity than they would otherwise have. At any rate there is this to be said about it, that the Commissioners of Supply, as the noble Marquess has just stated, will in future have no existence whatever except for an electoral purpose; and therefore, my Lords, there will be no one to act for them or to make arrangements on their behalf. That is the reason why I have put down the Amendment standing in my name on this clause. I do not see whether the meeting is to take place before or after the meeting of the County Council. I am told that under the English Act the same thing occurs, but in that case it applies to the Justices who have a separate existence for other purposes as well; but as the Commissioners here have no separate existence I do not see who is to act for them. If the matter had only had reference to this clause it might perhaps not have been worth while to add these particular words; but the same objection will occur upon a subsequent clause of the Bill where the Joint Committee is instituted, because in Clause 18, which appoints the Joint Committee, it is left in doubt what the number appointed by the Commissioners of Supply and the County Council respectively should be. There again the same question will arise as to how that matter is to be decided. I understand that it has been done in England by the County Councils. A deputation was appointed to wait upon the Justices on the subject, but as the Commissioners of Supply are only to meet on one day, and that the day of election, I do not think that would be a satisfactory arrangement. It seems to me the only way you can get out of the difficulty suggested is that you should lay down in the interests of all concerned, that one body should meet before the other. In that case it seems to me the administrative body of the county, that is to say, the County Council, should meet and determine what number of members should serve on the Joint Committee

The Earl of Elgin

and that the Commissioners of Supply should elect a like number. The only other way out of the difficulty that I can suggest at all—I do not know whether it will be approved by the noble Marquess—is that he should undertake another of those arithmetical problems which he has been grappling with, and should lay down the numbers as I have suggested; but I think the better way would be to omit the words which have reference to that matter.

Amendment moved in page 5, line 34, to leave out "either before or" (*The Lord Elgin.*)

LORD HAMILTON: My Lords, I feel so very strongly against this clause that I do not like to let it pass without saying a word against it. I understand County Councils in England have worked well because those who have hitherto taken part in county business have worked with the Councils. But in Scotland the Commissioners of Supply, who have done the county work hitherto, and who are therefore ear-marked, as it were, in connection with it, are put aside in order to carry out the mere purpose of electing a member with the view of controlling that which is to be done by the other body. I think if we do not have class feeling manifested to a certain extent, if such a distinction is made, Scotchmen are more forbearing than I take them to be. In this way those gentlemen will only be a check on the body which really does the work. I confess I do not see how it is to act.

THE EARL OF CAMPERDOWN: I think, my Lords, this discussion has turned away entirely from the Amendment which is proposed before the Commitee. The question upon the Amendment is whether certain words should be struck out, or not. We have diverged from that matter now, and got into a discussion as to whether it is not a right thing that there should be a body of Commissioners of Supply maintained, as well as of County Councillors. I really do not know which of the two questions we are discussing. I am perfectly prepared for my own part to discuss the second question, but I think that anything I could say in answer to the objections made would be better postponed until the discussion upon the clause referring to the Joint Committee.

THE MARQUESS OF LOTHIAN: I will follow the example which has been very properly set by the noble Lord, and decline to go now into the general discussion raised, and I will deal simply with the Amendment itself. The noble Lord says this must be taken in connection with the Amendment upon a clause which occurs later on. The whole of his objection goes to this—that the number of the members of the Commissioners of Supply should be the same as those appointed by the County Council, that is to say, if the County Council appoint only three, the Standing Committee of the Commissioners of Supply would only appoint three.

THE EARL OF MINTO: I understand that is the proposition in the Bill.

THE MARQUESS OF LOTHIAN: No; the proposition in the Bill is that they are to be appointed in numbers not exceeding seven, but each body is entirely independent as to the numbers they may appoint. The Commissioners of Supply might appoint, for instance, two, and the County Council seven, or *vice versâ*. It is entirely in the option of each body to appoint up to seven members, but not more. I think it would be exceedingly undesirable that the number should be less than that proposed by the Bill—namely, 15. There are seven to be appointed by the Commissioners of Supply, seven by the County Councils, and then there will be the *ex officio* Sheriff, who would make the number altogether 15. If, for any reason, the County Council desire to have a similar representation to the Commissioners of Supply, they would have nothing to do but to appoint a like number of their own representatives. I think it is very desirable that the number should be kept up to 15 as proposed by the Bill; and holding that view I am not disposed to accept the Amendment of the noble Lord. As regards getting over the difficulty mentioned by the noble Lord at the beginning of his remarks, I do not see that in omitting the words as to the time of meeting, whether before or after the meeting of the other body, would solve that difficulty at all. The difficulty as to the members elected from the Commissioners of Supply or any one officially acting would remain just the same. I am sorry that I cannot accept the Amendment.

*LORD BALFOUR: I would call the noble Lord's attention to the proposal in Clause 82, Sub-section 2, which provides that the Commissioners of Supply may continue to perform the duties which they have up to the present time carried out in that respect; therefore the Commissioner elected may act as the Convener just as he does now. The system provided by the Bill is, I think, more elastic in providing that the Commissioners of Supply may meet either before or after the County Council than if they were bound only to meet afterwards.

*LORD WATSON: I think, my Lords, the course which is being taken is undesirable. We are discussing a future clause upon this Amendment.

LORD ELGIN: The object, I suppose, is that there should be seven and seven appointed, and the Sheriff acting *ex officio*. The remedy which the noble Lord suggests to us is that one of the bodies need not appoint the whole number of seven, but the only result of that would be that the body so acting would thereby be merely placing itself in a minority on the Committee. My object was to point out that one body should meet first, and that there should not be an unseemely competition which of them should meet first in order to settle what the numbers on the Joint Committe should be.

THE EARL OF MINTO: I would point out that there is another Amendment prohibiting the election of the Convener on the day on which the Council meets. I think the noble Lord had better consider whether the insertion of the words "on that day" would not be advisable, so that the Commissioners might be competent to transact business of various kinds which might come before them.

THE MARQUESS OF LOTHIAN: The words seem to me to be harmless, and I should not object to them probably, but I think they would be surplusage, and therefore I do not think there is any necessity to insert them in the Bill. I do not think that the danger the noble Earl contemplates is likely to arise.

THE EARL OF MINTO: It appears to me there might be a doubt whether the Commissioners of Supply are competent to undertake these duties.

THE MARQUESS OF LOTHIAN: If the noble Earl wishes to insert the words in order to make it clearer, I have no objection.

THE EARL OF ELGIN: Surely the noble Marquess has misunderstood the Amendment. It is not merely a question of making the clause clearer. It seems to me plain that the Amendment means that the Commissioners of Supply may transact other business than the convening of the Committee. That is as I understand it.

THE MARQUESS OF LOTHIAN: Then if that is the explanation of it I cannot accept the Amendment. I do not know whether that being so it will be withdrawn by the noble Lord.

Amendment (by leave of the House) withdrawn.

Clauses 12 and 13 agreed to.

Clause 14.

THE EARL OF ELGIN: Upon Clause 14 I wish to draw attention to the proviso that nothing in this section shall transfer to the County Council any powers under the Contagious Diseases Act. This proviso deals with the question of the inspection of dairies as I understand it, though it is not very clear under the 4th sub-section of Clause 11. The inspection of dairies is transferred with the other powers of the Local Authorities under the Public Health Act to the County Councils, or rather they are to be administered by the District Committees; but this clause retains the inspection of dairies in burghs of under 7,000 inhabitants in the authorities of the burgh. This takes us back to a question which arose in 1886, when this amendment of the law was passed. Before that the inspection of dairies was under the Act which was passed in 1878 vested by the Privy Council in the Local Authority, which acted under their instructions; but by the Act of 1886 it was transferred to the Local Government Board in England—which means the Board of Supervision in Scotland and to the Parochial Authorities. My Lords, this is considered rather a serious matter by those who take an interest in the work of the Local Authorities. In the County of Fife, for instance, we have been very much of late subjected to outbreaks of pleuro-pneumonia, and the history of those outbreaks is rather instructive. Since the beginning of this year there have

been no less than 15 outbreaks of pleuro, and all those 13 have taken place in dairies. It seems to me that raises a very legitimate question, and that for the protection of the counties against the ravages of this disease it is very important that the Inspectors acting under the Local Authority should have powers of inspecting dairies and the cattle in them; because the Act of 1878 distinctly laid down that the inspection not only of the dairies themselves, and of the milk-vessels, and other things, but also of the cattle should be under regulations carried out by the Local Authority. I think I might, perhaps, venture to illustrate the inefficiency of the present system by stating that when the Act transferred the duties from the county with which I am more intimately connected it had appointed regularly qualified Inspectors to the Board. Well, the result was that the Parochial Board in my parish appointed its own Sanitary Inspector to inspect the dairies. He was a very excellent man, no doubt, for he held the respectable position of town plumber, and he carried on those duties till he died. I do not suppose he knew much about cattle disease, but no doubt he did his best. Since then we have appointed a veterinary surgeon as Sanitary Inspector in order that he might inspect the dairies. I venture to think that with many of these smaller authorities there is practically no inspection worth the name at all, and the result is that if we leave out of the Bill these small burghs under 7,000 inhabitants we shall leave hot-beds for promoting this disease which the counties are incurring great expense in trying to stamp out. In my own county we have spent between £4,000 and £5,000 in compensation under the Acts referring to Contagious Diseases, and we, therefore, feel very keenly if we are to be subject to outbreaks, notwithstanding all we may do, in places which are not under proper inspection. I, therefore, move that this proviso be omitted from the Bill.

Amendment moved, in page 6, line 35, to leave out from "provided," to "1886," in line 38.—(*The Earl of Elgin.*)

*VISCOUNT CRANBROOK: The noble Lord has adverted to a change made in 1886. The first is a very simple one. I can only say that the powers to which he refers were vested in the Local Government Board, and taken from the Privy Council, because the cleanliness of dairies and the effect of the want of it upon human food are matters for the Local Government Board, but I am not aware that the Privy Council is deprived in any way of the superintendence of the law relating to diseased cattle and their inspection.

LORD HAMILTON: The question which really seems to me of importance is, by which authority these duties will be performed, whether by the County or the Burgh Authorities. It seems to me they would be better discharged by the Burgh Authorities within the limits of the burgh. The burghs are intimately connected with the discharge of the duties imposed under the Public Health Act, and I think they are more likely to perform the duties in connection with these Acts than the County Councils would be. I would therefore strongly support this proviso, thinking it best under the circumstances.

THE MARQUESS OF LOTHIAN: The question raised by the noble Earl is of great interest, and one in regard to which in the County of Fife there has been a great difficulty in consequence of a want of proper supervision over dairies. But what I should like to point out to the noble Earl is, that this Bill does not propose to deal with any question of that kind; all it does is to continue matters as they are. No doubt a very great deal might be said for some alteration of the system, although I gather that the noble Lord prefers that the system should remain as it is. The effect of the Amendment would be simply to transfer the powers of inspection of cattle in dairies, and to secure the cleanliness of milk pails and other duties of that description. The noble Earl has stated that this power was taken from the Local Authority under the Contagious Diseases Act, and given to the Public Health Authority under the Act of 1878. All this Bill does is to keep things as they are. I am sorry to be continually declining Amendments proposed by noble Lords, but it appears to me I should not be justified in going into matters which affect the Public Health in a Bill of this kind. I would therefore ask the noble Lord not to press his Amendment.

Amendment (by leave of the House) withdrawn.

Clause agreed to.

Clause 15 agreed to.

Clause 16.

*LORD WATSON: On Clause 16 I have to move an Amendment which has for its purpose to ascertain whether the Chairman of the Body when it is formed, is to be the Convener of the County. There is no provision in the Bill for the election or appointment of a Chairman.

THE EARL OF ELGIN: Is it not better that the Road Board should elect their own Chairman? It might very easily happen that the Convener of the County would be a very fit person, but he might not be willing to undertake the duties; therefore it seems to me better that the Chairman of the Road Board should be treated as the subordinate of the Council.

THE MARQUESS OF LOTHIAN: I think the Convener should be *ex officio* Chairman, but in his absence they would elect their own Chairman.

*LORD WATSON: Does it necessarily follow that the Convener would be on the Council at all? There is nothing to secure that the Convener is to be a member of this Road Board. The noble Marquess says that the Convener is to be the Chairman?

THE MARQUESS OF LOTHIAN: The Amendment is not mine.

THE EARL OF ABERDEEN: You cannot make Chairman of the Board a man who is not on the Board at all.

THE EARL OF CAMPERDOWN: The Road Board is merely a Committee.

THE EARL OF ELGIN: I would suggest that the better way would be to appoint a Convener who should be *ex officio* Chairman.

*LORD WATSON: After what has taken place I desire to withdraw my first Amendment.

THE EARL OF ABERDEEN: Then there is to be no Chairman at all?

THE MARQUESS OF LOTHIAN: No; no Chairman; they will appoint their own Chairman.

*LORD WATSON: I do move the second Amendment which stands in my name, because I think this unfortunate body should not be entirely without a Chairman.

Amendment moved, in page 8, line 27, after the word "Act," to insert the words, "and shall appoint their own Chairman."—(*The Lord Watson.*)

THE MARQUESS OF LOTHIAN: I will not object to that Amendment now; but I should like to consider it on Report.

Amendment agreed to.

Clause agreed to.

Clause 17 agreed to.

LORD NAPIER AND ETTRICK: The object of the Amendment which stands in my name is to provide an agency by which the benefit of telegraphic and telephonic communication may be extended to the more remote and isolated districts in the Highlands and Islands of Scotland, and to other parts of the country where those benefits are not at the present moment enjoyed. It is known to many of your Lordships that there exist many inhabited places in the Highlands which are from 20 to 30 miles from the nearest telegraphic station. In the border districts, too, there are many inhabited places which are between 10 and 20 miles from the nearest telegraphic station. Those districts suffer considerable inconvenience and disability. They have need, of course, for summoning medical assistance, they require access to the markets and intelligence concerning the markets—and it is in these latter respects that the fishing districts are principally affected. This matter has reference also to all ordinary circumstances of life and social intercourse. Those disadvantages affecting the wilder and more isolated districts of Scotland are being now more generally felt by the inhabitants, when they compare their condition with that of people in the more populated districts of the country. The evils attached to this state of things were strongly presented to the Crofters Commission in which I took part, and their existence was confirmed by the Report issued by that Commission. Those evils were warmly represented to the Government, which has not been insensible to them, I am glad to say. The same evils have not attracted so much attention in reference to the pastoral and other districts of the country. But I desire here to say the Amendment which stands in my name is a

recommendation of the Commissioners of Supply of the county with which I am connected. I doubt not that those evils are fully recognised by the noble Marquess, who has become well acquainted with the condition of the Highland districts by recent inquiry, and who is familiar with the wants of the Border Districts by the ties of birth, property, and hereditary association. The noble Marquess may contend that the instrumentality of the agency which I recommend on this occasion is not the right remedy, and I therefore ask your Lordships to put to yourselves the question what are the alternatives before us. If the districts, which are now without telegraphic and telephonic communication, are to be furnished with those facilities which are so necessary in modern life, it must be either by voluntary combination on the part of the people, or by the action of the Government, or by the action of some Local Authority, acting in co-operation with individuals, and with the Government. I wish I could believe that those disadvantages and disabilities affecting extensive portions of the country are likely to be remedied by simple spontaneous action. I think that action must either be on the part of the proprietors, or the tenants, or it may be both. As far as I have been able to ascertain, we cannot expect to obtain a general facility or remedy of this character from the proprietors. In some cases, no doubt, an opulent proprietor, or a rich shooting tenant, may of his own motion, or for his own purposes, obtain telegraphic communication either by paying down a round sum to Government, or by engaging his property or his credit for a certain number of years. But so far as I have been able to ascertain much is not to be hoped from the proprietors. In the district to which I have referred, many of the proprietors are not resident, that are not therefore keenly alive to the necessities of the case. In others, the proprietors are suffering from great pecuniary disabilities and discouragements, and they are either unwilling or unable to subscribe, and even those who would be able or willing to subscribe to such a purpose, cannot join in such contracts, as they would be unable to transmit them to their heirs and successors. The proprietors cannot form an incorporated body which would be able to make engagements, and undertake contracts with the Postmaster General, or with the companies which are concerned in these constructions. With regard to the tenants, the case is even worse, because the position of the tenantry is at this moment so precarious and transitory in some parts of Scotland that one could not expect they would pledge their credit or their property for any prolonged period. Now it may be said that the duty should be undertaken by the Government. Government has not remained, I am glad to say, insensible to the claims of the Highland districts in this matter, but I do not think it would be possible to expect that Government should supply this want entirely at their own risk. The Government I think would do well to come to the assistance of localities which cannot help themselves. They would do well to incur some temporary loss if necessary, but they could not be expected to do everything. Their action would be facilitated no doubt if some co-operation were afforded to them on the part of the County Councils. There should be, in fact, some local agency which would have power to enter into contracts and engagements with the Postmaster General, to afford guarantees, it may be, against loss, to raise a rate or to have the power of raising loans, though I think that would not be necessary for this purpose. If this power were once conferred upon a recognised authority the rest would be easy. It may be urged that in principle it would be unjust for the Local Authority to tax the whole area of the country for the benefit of the more distant and the less favoured portions of it. I admit it would be necessary, perhaps, if the Council undertook this duty, that they should undergo some partial loss and some burden for a short period. I contend, however, that the burden put upon the ratepayers would not be an excessive one. I do not think too much is to be expected from voluntary agencies in the way of entering into direct contracts with the Government for the execution of such works; but I do think if the County Councils were empowered to enter into such contracts, the execution of those works within the county might be carried out much more economically than would be the case if the works were

executed simply by the Post Office. It may be also said that the people in the more populous districts of the country, although not directly interested, are indirectly interested in this matter, inasmuch as it is to the interest of the inhabitants of villages and remote places throughout the country to have facilities of intercourse with their neighbours and customers in other districts. It may be pointed out that if those facilities of intercourse were extended to the remoter parts of Scotland there would be a very considerable increase in the value of property in the districts so improved. Even now the first question asked if anybody is taking a property or renting a shooting in the remoter parts of Scotland is "How far is it from the Post Office?" or, "How far is it from the nearest Telegraph Station?" I think, therefore, it is to the common interest of the County Councils to promote works of this nature, and I do not think it can be affirmed that in the terms of my Resolution there is any financial danger attached to the proposal. The power which I propose to confer upon the County Councils with the view of enabling them to enter into contracts with Government for the execution of these works would be entirely voluntary on their part. If they chose to undertake this duty they might do so, if not they might abstain. But I entirely agree with the remark which fell from the noble Lord on the Second Reading of this Bill that one of the dangers we have to apprehend from the passing of this measure is, that when the County Councils meet for the first time they may be compelled to justify their existence and their action, by undertaking perhaps, rashly, a number of improvements, and so increasing their scale of county expenditure, which was so wisely limited in former times by the Commissioners of Supply. In case there should be any inclination to extravagance of this nature, I have guarded my proposal by inserting a proviso that the power, which would be discretionary on the part of the Councils, shall only be exercised with the assent in all respects, first, of the Joint Committee which includes the Representatives of the old Commissioners of Supply and, secondly, the Secretary of Scotland. I beg to move the insertion of the clause which stands in my name.

Lord Napier and Ettrick

Amendment moved, after Clause 17, to insert the following new clause:—

"18. In addition to the powers and duties transferred or transferable to the County Council under the foregoing clause and under other provisions of the present Act it shall be competent for the County Council to raise money by rate or loan for the contraction, maintenance, and working of lines of telegraphic and telephonic communication, to contract engagements with the Postmaster General, with other County Councils, with companies, and with other parties for these purposes, and to acquire and lease lands, houses, and other property requisite for the same, subject, however, to the consent of the Standing Joint Committee of the county constituted under the provisions of the present Act, and subject also to the sanction of the Secretary for Scotland."—(*Lord Napier and Ettrick.*)

THE DUKE OF ARGYLL: I think there is a great deal *primâ facie* to be said for this proposal of my noble Friend. When he was kind enough to mention it to me a moment ago it did not occur to me that there was any objection to it, but on thinking the matter over it seems to me that I may suggest one objection. I do not know whether he has had much experience of dealing with Departments of Government which are under the control of the Treasury, but if he has I think he will see that the result of his Motion would be to arrest the telegraphic communication of the county. I feel sure of that. It is a terrible Department. I will mention a case which will be familiar to my noble Friend. He has visited the Hebrides, which have long wanted telegraphic communication. In those Islands some years ago proposals were made to us that if we guaranteed a certain return the Government would agree to lay down a submarine telegraph. After making inquiry I found it was extremely probable that the guarantee would be a very onerous matter, and looking forward like a Scotchman I had a shrewd suspicion that the number of people interested in that demand for the telegraph would very soon compel the Government to take the required step without any guarantee whatever being given. And it, in fact, turned out to be so, for in the course of a couple of years the submarine telegraph was extended to those islands; it is now in full operation there, and not a shilling has been guaranteed by anybody. Look at the operation of this clause. The Treasury Department would say at once that they

would not expend a shilling unless you would give a guarantee, which, of course, would give the Treasury a pull upon you in that respect. I have had the honour more than once of being Postmaster General, and I know very well what the pressure has been from various Local Authorities to get local accommodation, and I know the strength of the veto which has been placed by the Treasury on every attempt which was likely to be a loss to the Treasury. We at the Post Office were constantly vetoed by the Treasury because the proposed improvement was not likely to pay. I remember on one occasion Lord Palmerston said to me, "I hold that the Post Office is not a Department at all; I hold that the revenue of the Post Office ought to be expended on further improvements." I said, "I agree with you, my Lord, but you hardly know what the difficulty is." If propositions of this kind were acceded to the people in every little village would consider that money should be expended upon them. I feel quite certain that if such a clause as this was passed it would be a weapon in the hands of the Treasury, and that not one shilling would be given without the assessment of the parish.

THE MARQUESS OF LOTHIAN: Your Lordships will not expect me to enter into the controversy which has arisen between noble Lords on this matter. It is not possible for me on the one hand to enter into the action of the Treasury, or on the other to discuss the action of the Post Office. I think you will be content to accept from the noble Duke his experience as Postmaster General, and I think that the difficulty which has arisen in his mind is one which will commend itself to the judgment of your Lordships. Apart from that question I am not surprised that the Chairman of the Crofters Commission has taken this opportunity of doing what he thought to be in the interest of the inhabitants of the Western Islands. I agree with what he has said, as evincing a desire to improve the position both of the landlords and tenants, and as to the very great difficulty in either landlords or tenants combining, together or separately, for providing such guarantees as might be required for carrying out the necessary works. As the noble Lord has referred to me personally, I should like to say that I fully appreciate what he has said. I entirely endorse all he has stated about me—namely, that I am fully acquainted with the evils which exist in those districts, and I can only add that it is my earnest wish to remove them. But the difficulties which have been suggested by the noble Duke may serve to show what my difficulties have been in that and other matters. Apart from what has been said by the noble Duke, I am again under the necessity of asking the noble Duke not to press his Amendment, because, as I will again remind the House, the object of this Bill has been to transfer from the Commissioners of Supply to the County Councils simply the powers which they already have. I think your Lordships will consider that it is certainly not desirable to give to the County Councils an increased power of expenditure at the beginning which might be more than the rates of the county could probably bear. I can quite appreciate what the noble Lord has proposed as a safeguard—namely, that any such expenditure should be subject to the sanction of the Standing Joint Committee, and also of the Secretary for Scotland. But I do not think that would be an efficient safeguard for this reason—looking at it from the pecuniary point of view, both the Standing Committee and ultimately the Secretary for Scotland might say the expenditure was not justified by the rates which would follow. Yet on the other hand, the plea *ad misericordiam* would be so great that neither the Joint Standing Committee nor the Secretary for Scotland would feel justified in refusing the application. It is my most earnest desire to do what I can for those districts, but I hope the noble Lord will not press his Amendment to a Division.

LORD NAPIER AND ETTRICK: After what has fallen from the noble Duke and from the Secretary for Scotland, I do not intend to press this Amendment, and I trust I may be permitted to withdraw it. At the same time I must confess that I do not admit the cogency or validity of the arguments of the noble Duke. I am forced to believe that the Post Office Authorities may be actuated by greater liberality at the present time than they were at the time when he presided over that Department. At the same time I do firmly believe, after con-

siderable reflection and calculation on this subject, that considerable development and great advantages might be attained by the co-operation of private parties or Local Authorities with the Postmaster General in these matters; and that telegraphic communication might be prudently and gradually extended in a variety of directions with no material charge to the counties. However, after what has fallen from the noble Duke and the noble Marquis, I cannot do otherwise than withdraw this Amendment.

Amendment (by leave of the House) withdrawn, and Clause 17 agreed to.

Clause 18.

Amendment moved in Sub-section 2, page 11, line 6, to insert, "The convener or in his absence the vice-convener, and."—(*The Marquess of Huntly.*)

*THE MARQUESS OF HUNTLY: My Lords, the object of this Amendment is to provide that the convener of the county who is appointed to the County Council shall be *ex officio* a member of the Standing Joint Committee. In a few words I wish to explain my reasons for this proposition. You are going to have a popularly elected body, which elects its own chairman to be called the convener of the county. You then also empower that body to elect members not exceeding seven in number to the Joint Standing Committee along with the representatives of the Commissioners of Supply and the Sheriff, or the Sheriff-substitute in his absence is to be the *ex officio* member of this Committee. That makes up the number to 15. As a matter of working I think the convener of the Council should be an *ex officio* member, and in his absence the vice-convener of that Committee. I press this very strongly, because the experience which I have had on a County Council in England has shown me that it is most desirable that the chairman presiding over the meetings should be in touch with all that goes on at the meetings. We have appointed the Chairman of this Council to be a member of all committees to be appointed from time to time, and we found this has certainly facilitated the procedure and facilitated business in a very marked degree. Supposing the Chairman of the Council does not know what is going on in Standing Joint Committee, I think there might perhaps be a certain amount of friction, which would be avoided if the convener acted *ex officio* as member of the Standing Joint Committee. I should certainly prefer that course if we are to have *ex officio* members from the outside. and I also prefer to have the convener as an *ex officio* member. For those reasons I hope the noble Marquess will agree to my proposal.

THE MARQUESS OF LOTHIAN: My Lords, I am afraid again I must ask the noble Marquess not to press his Amendment. Of course, I do not say a word theoretically against the convener being *ex officio* the Chairman of the Standing Committee; but that Committee is a very important body, and the composition of the Committee was a matter of great consideration before it was proposed as it is now in the Bill. That provision was made in the way which was thought most desirable for the advantage of the counties. If the convener were made *ex officio* a member of the Standing Committee it would raise the number from 15 to 16, and there might be a deadlock, because the Chairman has no casting vote. The reasons I gave at first are those which would induce me now not to assent to the proposition of the noble Lord—namely, that the provision was very carefully considered, and that any addition to it would throw it entirely out of gear.

THE MARQUESS OF HUNTLY: I will not press my Amendment, but I think it shows some hesitation in accepting the verdict of these popular bodies—that you cannot trust the convener whom they might elect.

THE MARQUESS OF LOTHIAN: I must protest against the words which has been used by the noble Marquess. There is no "distrust" whatever.

Amendment (by leave of the House) withdrawn.

Amendment moved, in page 11, line 70, after "thereof," insert—

"Provided that such Sheriff shall not be entitled to vote on other subjects than those that come within the cognisance and jurisdiction of the Standing Joint Committee in its capacity of Police Committee, in succession to the Police Committee under the Police Act of 1857."—(*The Earl of Minto*).

THE EARL OF MINTO: In regard to Clause 18, Sub-section 2 which provides that the Sheriff of the County is to be *ex officio* a Member of the Standing Joint Committee, in so far as the Police Committee is concerned, nothing could be more proper than that he should be on that Committee. But it does not stop there. The Sheriff being *ex officio* on the Standing Joint Committee has jurisdiction beyond what is at all reasonable. He is one of the Standing Joint Committee which has to raise money for the construction of roads, widening of bridges, and other public works. I think it is quite inconsistent with the principle of this Bill that he should have jurisdiction in these measures. Accordingly the proviso which I beg to propose is that the Sheriff shall not be permitted to vote in regard to these public works.

THE MARQUESS OF LOTHIAN: The noble Lord who spoke previously referred to the distrust of the Council shown by not making the Convener an *ex officio* Member of this body. What is now proposed would show, I think, considerable distrust of the Sheriff who is practically the head of the police, and the highest authority in the county. To ask him to take part only in measures which are to be decided by the Joint Committee of which he is a Member would put him in an extremely doubtful position.

LORD HAMILTON: I cannot help thinking there is a great deal in the Amendment proposed. It does not follow at all that the Sheriff resides in the county. He frequently resides in Edinburgh, and never goes near the county at all. What you are proposing to do is this: you place him on this Committee, and give him the power of going into all these questions, of laying out the money of the county upon various works, and you put him in the same position as any Councillor or Commissioner of Supply who is directly interested in the work in question. Of course, if it is impossible to persist in the Amendment it would be useless to divide the House upon it, but I think there is a great deal to be said in principle for it.

THE MARQUESS OF LOTHIAN: I think what the noble Lord has just said is an argument in favour of having the Sheriff on the Committee. If he is there the suggestion does not arise, and I do not think the argument strengthens the case of the noble Earl.

THE EARL OF CAMPERDOWN: The noble Lord has missed the point. It is perfectly right that the Sheriff should be a Member of the Police Committee. He always has been a Member of it, and a most important Member, and I should not at all desire to depose the Sheriff. But when you get to questions of spending money, that introduces quite a new question into the business, and for that purpose I cannot see any necessity or object for putting in the Sheriff. The noble Lord has spoken of the great powers of the Sheriff. We have the Sheriff in everything in Scotland, and it may be said that we have too much of him in this case. The Sheriff is a ubiquitous individual, but perhaps you may have too much of him.

LORD NAPIER AND ETTRICK: I have the greatest respect for the Sheriff in Scotland. He is the highest Executive Authority and Head of the Police. He is responsible for the police management and peace of the county. That he should be responsible for the peace of the county is an excellent arrangement; but when it comes to be a question of expenditure, the question then arises that the Sheriff has no property there, and he may have no special knowledge of the economical position of the county. Though he might advise, I think he ought not to have any power of voting. In fact, from what I know of Sheriffs generally, I do not think that the Sheriff would vote, and if he has the power of voting I think he will abstain from doing so, and that he would withdraw should occasion demand.

THE EARL OF ELGIN: This is an example of the inconvenience of mixing up two things in the same question. It is not very easy to find out of what proportions this Committee is to consist. The noble Marquess told us that there was no obligation on the members to elect the full number; but in his remarks just now he says the Sheriff is to be the fifteenth person, and that for that purpose it is necessary he should vote on all subjects. But if members did not elect their full number, the balance for voting purposes would be disturbed.

It seems to me a strong matter that, on a question of finance, upon which, as I pointed out, the Sheriff may have no knowledge, he should be the absolute arbiter between what I am afraid in some cases may be two opposing parties. I think, therefore, there is a great deal to be said against the Sheriff voting on measures of finance; but, at the same time, my Lords, I venture to think that the manner in which the noble Earl proposes to carry out this proposition is not a very convenient one, and it is not a very convenient thing that one member of a Committee should be restricted, and he alone, as to the subjects with which he is to deal. I do not know that I should be prepared, therefore, to support the noble Earl in that particular Amendment; but I think it does show that the position of the Sheriff on the Finance Committee is a very inconvenient one.

THE DUKE OF ARGYLL: I very much agree with the general tone of the observations of my noble Friend who has just sat down. The Sheriff is not a ratepayer necessarily on the one hand, and on the other hand it would, I think, be invidious in the form now proposed to exclude him from voting on the Committee of which he is a member. I do not agree with the noble Marquess in the suggestion that the Sheriffs have no knowledge in these votes. I think they have. They are in communication with all parties in the county, and they have by virtue of their office and position a judicial and impartial mind. Speaking generally of the gentlemen who occupy the position of Sheriffs, I feel sure that they are well qualified and I should always be very glad to have their opinions even on questions connected wtth expenditure. I hope, therefore, the Amendment will not be pressed.

LORD NAPIER AND ETTRICK: I would submit to the noble Duke that it is not a question of giving an opinion merely. Let the Sheriff retain his seat. He would be at liberty to give his opinion, he would be there as a member though not as a voter. Up to the present time the Sheriff has been a member of the Commissioners of Supply; he sits there as I have often seen him. He is frequently referred to there by the members of the Commissioners' Body, but I think he abstains a great deal from voting. He is a Consultative officer and he does not vote. When there is the least suspicion of any question of his being afterwards called upon to act in his judicial capacity he does not vote, and I do not think practically he would vote, at least in my county, on money questions.

THE EARL OF CAMPERDOWN: I sincerely hope this Amendment will not be agreed to, because this seems to me to be a very valuable provision. I think the noble Lord is mistaken if he supposes that the Sheriff is not there acting with the Commissioners of Supply with as full powers as the rest. It is certainly not my experience that if present he abstains from voting. But if the suggestion were carried out to make him merely a Consultative member and not to vote, the Sheriff would go away if he could not back up his opinion by his vote. I venture to think in the great majority of cases, if there is to be any serious conflict between the Commissioners of Supply, the Members of the Committee, and the Electoral Members, which I certainly hope will not be the case, that to have gentlemen of this description—these judicially minded persons—on the Committee would be a most valuable thing, and though the Sheriff might not, if he felt there was a pinch, record his vote, still I venture to think he would give his vote upon broad general grounds, and really I have every confidence that if it comes to contests, which I hope it will not as I have said before, between the County Councillors and the Commissioners of Supply, you could not put the decision of any questions which may come before the Committee in safer or better hands than those of the Sheriff or his substitute. I hope, therefore, the clause will be adhered to.

THE MARQUESS OF LOTHIAN: The noble Lord (Lord Elgin) talked of the opinion I expressed upon this matter; but I think he was mistaken in what he said. What I recollect to have said was that it was not incumbent either upon the Commissioners of Supply or the County Councillors to appoint the full number of seven. If the noble Lord will look at the clause it says, "such number not exceeding seven." That shows that the numbers need not come up to seven. It also states that six shall form a quo-

rum of the Committee, and that also shows that the whole number need not be present. On the other hand I particularly pointed out what one object was of not making the election of the Commissioners of Supply depend upon the election by the County Council. It was in the hope of keeping them quite separate that it was provided the full number should not be appointed up to seven. I would also refer to what I said as to the odd number 15 being best. That was in view of the full number being appointed.

THE EARL OF ELGIN: May I ask one question? If one body appoints four members, must the other only appoint four?

THE MARQUESS OF LOTHIAN: No, the other body may appoint seven.

THE EARL OF ELGIN: Then the numbers will not be equal.

THE MARQUESS OF LOTHIAN: That is their own fault. Of course if there is a very small number present there will be no quorum.

THE EARL OF CAMPERDOWN: You might have this anomalous state of things, that the quorum is to be larger than the body actually sitting.

THE MARQUESS OF LOTHIAN: One really cannot anticipate all the exceedingly improbable difficulties which occur to noble Lords.

THE EARL OF CAMPERDOWN: That is rather an important point I think if you happened to have a larger quorum than your entire body.

*LORD WATSON: In that case it simply lays a statutory duty upon those two bodies of electing a number larger than the quorum.

THE EARL OF MINTO: I want to ask how the Commissioners of Supply are to be dealt with? I see the numbers are given, and in those numbers the *ex officio* members are stated. In the county of Lanark, which has been already referred to, I think there are 36 *ex officio* Commissioners of Supply. I think the noble Marquess ought to give an explanation of that, and state whether all those Commissioners are qualified to vote.

THE MARQUESS OF LOTHIAN: All those who are qualified Commissioners of Supply would have the power of voting.

THE EARL OF MINTO: That is to say the whole Commission?

THE MARQUESS OF LOTHIAN: Yes.

Amendment negatived.

Amendment proposed, Clause 18, page 11, line 17, to insert at the beginning of the sub-Section the words—

"The Standing Joint Committee shall meet on such days and at such intervals as may be determined at the first meeting of the Committee in each year, and."—(*The Earl of Elgin.*)

THE EARL OF ELGIN: According to this sub-section no meeting can be held except upon six days' notice to be sent by registered letter. It was pointed out on the Committee of the County to which I belong, by the Chairman of the Police Committee, that at present there are statutory fixed sittings of the Committee, and that it would be inconvenient, to say the least of it, if no meeting of the Standing Joint Committee could be held except upon six days' notice supposing they were not statutory fixed meetings. It is in order to meet that difficulty that I have proposed the Amendment which stand in my name. Of course, the noble Marquess might object to the words, and might prefer to introduce them in another shape; but I think it is necessary that there should be fixed regular meetings of the Standing Committee of Police at any rate.

*LORD BALFOUR: Is not that rather a matter of arrangement for the Committee? If the Committee wished to do so they could do it under such bye-laws or standing orders as they choose to adopt for themselves. Notices can be sent on the days which have been previously arranged for.

Amendment (by leave of the House) withdrawn.

Amendment moved, to leave out Sub-section (7) and insert—

"Capital works shall include the erection or re-building of buildings, the construction or re-construction of roads and bridges, the construction or extension of drainage or water supply works, and the acquisition of land, or of any right or intesest or servitude in or over land or water for the purposes of any capital work."—(*The Marquess of Huntly.*)

*THE MARQUESS OF HUNTLY: My Lords, I have an Amendment to omit Sub-section 7, and to insert another section in its place. This is the point which I called attention to on the Motion for the Second Reading. Under

this Bill all the highways in Scotland will in future be managed. Up to this time there were a number of Local Acts still in existence in Scotland which were not touched generally by the Roads and Bridges Act of 1878, although in one direction they were touched, that is to say, that the Roads and Bridges Act of 1878 enabled the counties which enjoyed the benefits of Local Acts to have extended powers of rating. In most of the Local Acts which I am aware of, there was a limit fixed to the rating. In Aberdeen it was 6d. in the £1, 3d. on the landlords, and 3d. on the tenants. The Roads and Bridges Act extended this provision, and Section 103 of that Act enabled those acting under it to exercise unlimited powers of rating. By this Bill, all those Local Acts are done away with, and although I deprecate it very much for old associations sake, still, it is necessary, no doubt, in a Bill of this sort. You repeal the provisions with regard to the method of election of Road Trustees, and you provide in the first place that the County Councils shall be elected; then, that the District Committee shall be formed; then that the District Committee, with one member nominated from the Parochial Board, shall be the Board to manage the roads and highways. These District Committees elected in that way will have the entire rating powers which the Act of 1878 confers. You give them full and absolute powers in that direction, and in Sub-section 6, which has just been carried, you say that no works involving capital expenditure shall be carried out without the consent in writing of the Standing Joint Committee. Now you come to Sub-section 7, which defines what these capital works are, and you find they include the erection and enlargement of buildings, bridges, and so on, and any large works the expenditure upon which is not wholly provided for out of the rates for the current financial year. What is the position into which we are now to be launched? Before 1878 we had a little hold over these Road Trustees. My noble Friend pointed out the extravagance which in some counties they were guilty of; but I can say, from my own experience, that we have carried out economically the system under which we worked. You will now have these works carried out by a small Body, with one nominee from the Parochial Boards, able to raise whatever rates they like, and able to carry out enormous works and even to acquire land. I do not know what works they may not launch into. This is a very dangerous power to give these District Committees, and my proposition is to leave out the words with regard to the enlargement of buildings and widening of roads, and to limit their powers as to providing for these works out of the rates for the current financial year, leaving these District Committees to come to the Joint Standing Committee if they really wish to get these capital works carried out.

THE MARQUESS OF LOTHIAN: I concur with the noble Marquess that perhaps the powers given under this clause are too wide, and therefore I am quite willing to accept the principal part of his Amendment. The only reason for including the enlargement of buildings and the widening of roads was that the expenditure upon them may, on the one hand, mean almost nothing at all, though, on the other, a large outlay of capital may be involved by them. With regard to the latter part of the noble Marquess's Amendment, I am willing to accept it.

THE MARQUESS OF HUNTLY: Is the noble Marquess willing to strike out from the words "water-supply works"?

THE MARQUESS OF LOTHIAN: Down to line 40.

THE EARL OF ELGIN: Surely, my Lords, that is a very important alteration. As I understand the clause as it stands in the Bill, the matters which come under the cognizance of this Joint Committee are simply these matters which are to be provided for out of borrowed money, and not matters which can be met out of the current rates of the year. The words which the noble Marquess now proposes to strike out are exactly the words which keep them to that matter only. That is as it stands in the Bill. Beyond that I do not see that there is so much objection to be taken to it; the District Committees could carry out any similar works which it might be necessary for them to do, so long as they do not exceed the amounts which they get on the current rates of the year, but if all capital works are to come under the cognizance of the Joint Committee I ven-

ture to say that very serious inconvenience will arise. Under these words as they stand now, without the Amendment, you could not rebuild a culvert without coming to the standing Joint Committee and getting their consent. It seems to me the principle of the clause, as it stands in the Bill, is a correct one. If I may make a suggestion on the clause, it would run :—

"Capital works shall mean works, the expenditure on which is not wholly provided for out of the current rates of the year."

*LORD WATSON : It appears to me that to adopt the suggestion of the noble Earl would simply import into this clause a new element, and convert into capital expenditure that which ought not, under any circumstances, to constitute capital expenditure. The words are :—

"Any works, the expenditure on which is not wholly provided for out of the rates for the current local financial year."

That means, according to my understanding, that whenever works which ought to be met out of current rates are constructed and the expenditure is not so met, it shall be at once charged to capital. If a large sum is spent in one year, on maintenance or repair of works, instead of being spread over three or four years, then expenditure which is chargeable on owners and occupiers and is in no sense capital, would be converted into capital outlay which is made chargeable upon landlords. Certainly it appears to me that the words which the noble Marquess has agreed to strike out ought never to have been in the Bill.

*THE MARQUESS OF HUNTLY : Is it proposed to leave in the words "and any other works" ?

THE MARQUESS OF LOTHIAN : No ; omit the words "water supply works."

On Question, "That the words proposed to be left out stand part of the Bill," agreed to.

Moved that Clause 18, as amended, be added to the Bill.

*THE EARL OF CAMPERDOWN : On this question I desire to say a few words. In the discussion upon other matters attacks have been made on these County Joint Committees. I think my noble Friend Lord Hamilton went so far as to say that if you established anything in the nature of a Joint Committee you would establish class feeling. I cannot help feeling that my noble Friend must have imagined he was back again with his constituents, and descanting on a public platform upon all the woes and injustice, under which they labour. I cannot believe that when he used words of that sort he was really considering the Committee which it is proposed to appoint under this Bill, for if he was so considering it, all I can say is that I am afraid he did not understand what is contained in the Bill. For what is it? In the first place, you have these rates. These rates are of two kinds. One is to be paid wholly by the owner, the other is the consolidated rate, of which the owners are to pay half, and the other half is to be found by the occupiers. There is now a new body constituted, the great majority of whom will contribute little or nothing to those rates—namely, persons who have the Service Franchise, and those who have holdings under £4, for which the rates are commuted. Those will be the large majority of the ratepayers. Now, what is the moderate proposal which is put forward by this Bill? It is this—that whereas property is to contribute three-fourths of the rates, and a large proportion of the contituency are to be persons who will contribute very little, or in some cases nothing at all, when it comes to a question of borrowing or of making large outlay on capital works, there is to be a committee, composed one-half of representatives of property in the county, and the other half by the persons representing these large constituencies, and they are to say whether it is right or not to undertake this borrowing, and to make this capital outlay. That is the whole proposal. May I ask, is it not the most ordinary course to avoid doing this; and, in a sense, would it not be utterly ridiculous if you were to give borrowing powers to a constituency which we all agree contributes very little to these rates? But when you talk of class feeling, I cannot imagine any term which would be more inapplicable. These 14 men, or less than 14 men, whatever their number may be, will all be persons who have the strongest reasons for wishing to expend the money of the ratepayers in a frugal and sensible manner. I

think, too, that the noble Lord has entirely forgotten that when it is proposed to lay out public money, precautions of this kind are always used. When a parish wants to lay out money, they have to go and obtain the consent of the Board of Supervision. Take the present Road Boards. When there is any question of capital expenditure, that is not allowed to be decided by the ordinary trustees, but it is decided by the Road Board, which you are really continuing in this Bill. Then if you consider the Public Health provisions, they are exactly on the same basis. In England you have to obtain the consent of the Local Government Board. This course is invariably followed, and I must say I have never seen anything to justify the attacks upon these Joint Committees.

THE DUKE OF MONTROSE: I would point out that there is no similar Committee in England in regard to capital expenditure.

THE DUKE OF ARGYLL: Before this clause passes I desire to say that I entirely agree with the observations which fell from my noble Friend Lord Camperdown. The great danger of all municipal Government is pecuniary jobbery. It has been terrible in the United States of America. Your Lordships probably have no idea of the extent to which pecuniary jobbery has gone in the municipalities of the United States. In New York it is not merely that there are corrupt officers of the constituencies; it is not merely that office-bearers under the Municipality are corrupt—that is not the kind of corruption to which I allude; it is that the whole constituencies are corrupt, and that they elect men on purpose to perpetrate jobs. I believe that the Municipalities of England and Scotland have hitherto been on the whole corrupt. Within this week a most stringent Bill has been assented to by this House against popular corruption. Nobody apparently took any notice of it. It was under the charge of Lord Herschell. It has gone back to the House of Commons, and I suppose it will pass this Session. That Bill provides that if any public body is guilty of what is defined by the Bill to be corruption, every member of it should be considered under the Act as having committed an offence. I hope, in the atmosphere of comparative purity which has existed in England and Scotland, that our Municipalities will be as pure in the future as they have been in the past, but surely it is a matter of common sense in establishing a new system which should make a bridge between the old and the new order of things, that we should secure in the new Administration, a strong element of those who have hitherto conducted the county business so well in Scotland. It is quite possible that this enactment which is proposed by Government may be of a beneficial character; it is quite possible that a more united, a more homogeneous system, may ultimately supersede the former system; but the question is with regard to the time now, whether we should take this leap in the dark without any precaution against pecuniary corruption. There are numerous temptations to corruption, and you ought to secure with regard to those bodies that they shall be free from that corruption which prevails elsewhere. That is the ground on which I support this clause. Although I quite admit there are theoretical objections to it, on the whole, it is nothing but a wise precaution against possible evils which are widely prevalent at this moment all over the world. I do not know whether your Lordships' attention has been directed to the state of Italy. The state of Italy just now in regard to its municipal institutions is, I believe, nothing short of disastrous. A great eulogism has been lately passed by Mr. Gladstone on the state of Italy, and, no doubt, since the unity of Italy has been accomplished, great progress has been made in that country; but if we go a little behind that ostensible progress, and investigate its financial condition and its general condition, both municipal and commercial, we shall find it is in a most dangerons condition. A paragraph appeared in the newspapers this week, I do not know what weight is to be attributed to it, stating that the ancient city of Pisa is absolutely bankrupt and unable to pay its creditors, and, it was added, half the cities of Southern Italy are in the same condition. What has that resulted from? It has resulted to some extent, no doubt, from keeping up an enormous Army and an enormous Navy; but besides the Imperial taxes there are the Communal taxes, and they are, I understand, the

most oppressive of all. We ought not, I think, to give unlimited powers of taxation to any public body, without taking such precautions as wisdom suggests, to maintain the comparative administrative purity which has hitherto existed locally in this country.

THE EARL OF ELGIN: I should like to say in regard to this matter that although the noble Duke has given us illustrations from America and from Italy, it does not appear to me that those illustrations exactly meet our objections to this clause in the measure now before the House; because he has at the same time admitted that in England and Scotland we are able to boast, at any rate, of a comparative absence of corruption in regard to local finances. What I should venture to think is the real ground of objection taken to this clause, and I think it is the feeling prevalent in Scotland, is that the restrictions which are put on Local Government in counties by the institution of these Joint Committees is a restriction which is not found in the similar measure with regard to Local Government in England, nor, as matters stand in the great cities of Scotland, and which will be the position next year, when these local bodies will meet. I think I am correct in saying that no Town Council is subject to any check of this kind in the management of its finances, nor are the large cities subject to checks of the kind which are introduced by this clause in the matter of their Police. If we are to accept the view of the noble Duke that the Government look upon this Bill merely as a provisional matter, and that we may look forward at some date, perhaps, not far distant, to the abandonment of these provisions, and that the County Council will then be entrusted with the full management of their own concerns, our objections with regard to these clauses might be very materially modified. But I do say, as the matter stands, this clause does introduce what I venture to call a change in local affairs, because it introduces a feeling of suspicion on the part of the Government, who have in so many ways consulted the wishes of the people of Scotland as to the extent to which they are to be trusted with the management of their own affairs.

*LORD BALFOUR: I shall not detain the Committee more than a few moments, and I should not have risen at all, but for the remarks of the noble Lord who spoke last. He seemed to make it a special grievance that in this particular matter the people of Scotland are less trusted than were the people of England in the Act which was passed with regard to Local Government last year. As I am somewhat familiar with that Act, I may be, perhaps, permitted to point out that the conditions are not quite the same. In the first place, though not the most important matter, there are no Aldermen in Scotland as in England, and there are not any, therefore, proposed to be created under this Bill. It was suggested in England that maintaining the Aldermen would have a steadying effect on the Town Councils. But that is not the chief reason why I object to the parallel. I object to it on account of the differences between the two countries as regards the incidence of rating. In England the occupier pays the county rates; in Scotland the rates are to be divided between the owner and the occupier except in the case of the stereotyped rate. That does not mean that the rate is divided equally, say, 4d. in the £1 upon one, and 4d. in the £1 on the other. It means that if £2,000 has to be raised, the owners must find £1,000 and the occupier £1,000. It seems to me that that being so, any temptation should be removed from the occupier to unduly rate the owner for his own advantage. The occupier, if he finds the rates heavy, may move away, after he has burdened the owner's property in the district in which he lives, but the owner must stay. The owner is fixed, to a certain extent, where he is, and he will have to pay the burden imposed upon him by the vote of the occupier. There is a further point to which I would call attention. I venture to think your Lordships will agree that, at any rate in the last resort, it is the owner who pays the rates. The occupier, when he goes from one place to another, naturally takes into consideration the rating as well as the rent which he will have to pay. If the rating is less heavy he can afford to pay a larger rent, but if the rating is heavier than he has been accustomed to pay, he will only be able

to offer a smaller amount of rent. I venture to think it is really not a mistrust of the people of Scotland, but a simple and ordinary business-like precaution which is imposed, and whatever noble Lords opposite may say, it has really a much larger amount of sympathy than they would appear to make out among the constituencies of Scotland. I almost owe the House an apology for intruding at this stage, but I do think that the attempt to draw a parallel between the two cases will not hold water for a moment.

THE EARL OF MINTO: I do not like to allow this subject to pass away from your Lordships' consideration entirely without giving a short expression to my opinion upon it. That opinion substantially coincides with the opinion which has already been expressed by my noble Friend below me. Although I perhaps would not have used quite as strong language in speaking on the subject as he did, I fully concur in the opinion which has been so warmly expressed by the noble Duke and others that it is desirable control should be extended in some matters over the local expenditure and borrowing powers of the new Councils, which are now being called into existence, especially in the inception of their authority. I am inclined to regret that this control has been deposited in the hands of a different class belonging to the same community; but I do not believe that that authority will be the less exercised—I trust it will even be exercised with sympathy for the large portion of the community. Still, there does appear to me to be something rather obnoxious in the principle. It is like setting one class of the community as a controlling body over another, and I think in Scotland there will be some feeling on the subject, which I hope will not be a durable or a strong one. I should have been satisfied myself if the control over capital expenditure and borrowing powers had been deposited with the Secretary for Scotland alone.

Clause 18, as amended, agreed to.

Clauses 19 to 26 agreed to, with Amendments.

Clause 27.

THE EARL OF CAMPERDOWN: In the absence of Lord Aberdeen, I rise to propose the proviso which stands in his name. The reason of this Amendment is that in certain counties where works entailing large expenditure have been carried out, in certain cases it has been done by extra assessment instead of by borrowing, and under the arrangements of this Bill it will be necessary to calculate what was the "average rate" (those are the words of the Bill) paid by the owners during the last 10 years. In cases of this sort it is obvious that the average rate of owners will be much higher than it would have been if the expenditure had been defrayed in the ordinary way—namely, partly by rate and partly by borrowing. The object of the Amendment is to provide that in cases of this sort the Sheriff shall use his discretion and decide how much of this expenditure should be provided in the ordinary way.

Amendment moved, in page 18, line 31, after "rate," add—

"Provided further that where such branch of expenditure, or any part thereof, has been provided for by assessments instead of by borrowing, the Sheriff shall include in the average rate such proportion only of those assessments as, in his opinion, would have been levied if the sums necessary to meet such expenditure had been raised by borrowing."—(*The Earl of Camperdown.*)

THE MARQUESS OF LOTHIAN: I admit at first sight there appears to be a good deal to be said for this Amendment, but I would ask your Lordships to consider that the proposal under the Bill, as it now stands, is purely in the nature of a compromise under the Bill as it was first introduced into the House of Commons. There was at first no provision in the Bill applying to cases of this sort. It was proposed in the other House that these rates should be exempted altogether from the stereotyped rate, and this Bill, as it stands, is the result of a compromise on this question. I would ask your Lordships further to consider that in rating for expenditure year by year there are very few counties (I am not sure that there is more than one) who have considered that the expenditure is expenditure which ought to fall upon the rate of the year. In adding to the rates year by year for any capital expenditure they have thought that it was a proper yearly expenditure and it was done entirely by their own action

there was no force upon them, and if they thought that they would do better by borrowing money and paying it by instalments, they would have done so; but they thought it right in their own interests that the capital expenditure should be put upon the rates of the current year. Apart from that I see a practical difficulty in the way of the proposal of the noble Lord. It is proposed that the Sheriff shall include in the average rate such proportion only of those assessments as in his opinion would have been levied if the sums necessary to meet such expenditure had been raised by borrowing. Does it not occur to the noble Lord that that is an almost impossible duty to throw upon the Sheriff? You would have no data to go upon by which to judge accurately what the proportion should be. I would like the noble Earl to suggest any way by which the Sheriff could come to a just decision. For these reasons, first, that I do not think it is expedient that the expenditure which has been made out of the annual rate of the county should be deducted from the stereotyped rate; and, secondly, because I think that if such a proposal were carried it would be impossible for the Sheriff to carry out the duties imposed upon him, I do not propose to accept the Amendment of the noble Lord.

THE EARL OF CAMPERDOWN: I admit there is some force in the second reason that the noble Lord has just given; but with regard to the first, I do not think he meets the case at all, and after all that is much the most important of the two. The case which Lord Aberdeen puts is this. Take the case of a county which for reasons best known to itself, thought it was better, having certain capital expenditure to make, to make that by paying the money down at once, instead of by borrowing. The noble Lord says: then they determined that that course was for their own interest. Yes; but they did not see that the noble Lord was going by this Bill to stereotype rates against the owners which would tell against them for all time to come. The noble Lord will remember that this formality which he proposes in this Bill is without any precedent whatsoever. The reason for it we all know is that hitherto these rates have been borne entirely by the owners, whereas now they are to be divided between the owners and occupiers. There has never been anything like this proposal in Local Government Acts or anything else. You say the Sheriff shall calculate what these rates have been during the last 10 years, and upon that he shall base a charge for all time to come. When the noble Lord says that this is a most difficult task to impose upon the Sheriff, I merely reply that the noble Lord has already set the Sheriff a task which is nearly equal in difficulty. The whole arrangement is one of the most extraordinary character, and moreover the ratepayers of the county, if they had foreseen that the provisions of this Bill were going to come into force, would never have adopted that form of paying the capital expenditure. That is the case as it appears to me for Lord Aberdeen's Amendment, and it seems to me that what the noble Lord has said is no answer to that case at all.

*LORD BALFOUR: The duty cast upon the Sheriff by the Bill as it stands will surely not be much more than putting into practice some very simple rules of arithmetic. By the Amendment a large amount of what would be conjecture is imported into this matter. I have not heard the exact amount which is supposed to be involved, but as far as I know, in any county which is interested in this matter it is only a very small amount. I have heard it put for one county, and I believe it to be the county which is most affected, Renfrew, and in that case I believe the utmost that is involved is ½d. in the £1. I speak from good information, but I do not put it forward absolutely. I believe there is another objection to it, that the real object of stereotyping has been to prevent any burden which has hitherto been fully borne by owners being transferred to the occupiers; but in any possible reading of this Amendment, if put into the Bill, the first effect of it would be—I admit to a very small extent, but to some extent—to put a burden on the occupier next year and in subsequent years which has hitherto, rightly or wrongly, as a matter of practice been borne by the owner. On this account I think it would be undesirable to accept the Amendment.

THE EARL OF CAMPERDOWN: I will not press the Amendment at this present stage, but I would like to ask the noble Lord to consider this matter

before Report. The noble Lord said just now that hitherto this rate has been borne by the owner, and, therefore, he should not like to make any change. You are doing a great deal more than that, you are saying that because a county has acted for prudence sake in a particular way, therefore the owners are to be fined to that extent. I do not know what county Lord Aberdeen may have in view, but there are two or three counties in which they have actually levied rates—I know in Forfarshire there is a balance actually in hand of £2,000 at this moment, which has been levied by rates. If that money is not expended in some way the result will be that for all time to come there will be an additional charge upon all owners in that county. There is the same thing in Renfrew and in Linlithgow and other countries. I quite admit that we must do everything we can to prevent anything falling upon occupiers which has hitherto been borne by owners, but there is an equal duty to prevent the owner having burdens which he would certainly not have taken upon himself if he could have foreseen that this Act was going to come into force.

THE DUKE OF ARGYLL: I should be very glad if the noble Marquess would consider this matter before Report. There is no doubt that the principle of the Bill is not carried into effect unless the clause is rectified in this particular. There is no reason why you should deduct rates which have been expended upon public property if borrowed and not deduct also the same rates when, instead of being borrowed, they have been paid by the ratepayers. I cannot conceive any difficulty in ascertaining the sum, and as regards the amount it would be simply a matter of calculation, because the sums are usually borrowed for so many years, and the Sheriff will have nothing to do but to ascertain the amounts to be levied in this particular manner and to calculate when upon the usual rate of borrowing they would have to be repaid.

THE MARQUESS OF LOTHIAN: Although I still adhere to the opinion I have expressed, I cannot resist the request that I should at least consider this question before Report. I will do so, and will be very glad to have any suggestions that noble Lords may make upon the subject.

*THE MARQUESS OF HUNTLY: As the noble Marquess is so congenial I venture to hope that he will recognise that the principle that is embodied in this clause, or, as I think he called it, the arrangement that had been come to, the compromise, is a very good one. The object of my Amendment is to fix some date at which it will terminate. As I caught the expression of the noble Lord (Lord Balfour) he said that this rate was really a matter of arrangement between the owner and the occupier. The effect of this clause will be that for ever and for ever the estate of an owner will be practically mortgaged with this average rate; it will be stereotyped upon his property; the Sheriff under Sub-section (1) will fix the 10 years' average that the owner will have to pay in consideration of this rate, and this average rate will be absolutely fixed and for ever stereotyped upon his estate. According to Sub-section 3 the demand note will state the average rate and the increment thereof, that is—the increment which is to be demanded by the tax collector is to be paid equally by the owners and occupiers. If we acknowledge that sooner or later these rates do come to be a question of arrangement between the owner and the occupier, why do we not fix a term at which the arrangement under this Bill will come to an end. In Scotland the usual term is the 19 years' lease. I have proposed to take 10 years as the term of ending. I would remind the House also that every other rate in the Bill is proposed to be paid equally by the occupiers and the owners—the road rate, the sanitary rate, the public health rate. Yet you are going to stereotype for ever and ever the owners of the property with this rate.

THE MARQUESS OF LOTHIAN: I am afraid the noble Marquess will not find me in the conciliatory mood to which he referrd at the beginning of his remarks. I can understand noble Lords' objection to stereotyped rates, and that is an objection which will probably be felt by a very great many owners throughout Scotland. At the same time, the provision that there should be a stereotyyed rate upon owners is one that has been most carefully considered, and it is part of the Bill, and to accept the noble Marquess's proposal would be

to alter one of the main parts of the Bill, so far as the rates are concerned. Under the Bill it is proposed that this stereotyping should be, as the noble Marquess has said, perpetual. It is a rate which will be under the Act, when it becomes an Act, a perpetual obligation upon the owners, although I understand that this proposal of the noble Marquess is that there should be a revision after 10 years. I would put it to the noble Marquess that if the principle is sound it is much better to enact it once and for all, because if there was any prospect of any such revision either of the amount of the stereotyped rate, or the abolition of the stereotyped rate altogether, it would necessarily create an indefiniteness in the stereotyped rate, which would be unfortunate in the interests both of the owners and the occupiers. I think it much better, as proposed by the Bill, that the stereotyped rate should remain a fixture, although I quite understand the disinclination of the noble Marquess and others to having a stereotyped rate on the property. The only indefiniteness now is the increase above the stereotyped rate which would be put upon owners by the action of the County Council. I am afraid I cannot accept the Amendment of the noble Marquess.

*THE MARQUESS OF HUNTLY: I wish to ask the noble Lord whether this has occurred to him: Suppose this average rate is fixed upon a county at the present rateable value, and suppose the rateable value of that county were to increase enormously; the rates would be fixed then, without any power of increasing or altering that rate. I think the County Council of Lanark, at any rate, would not know what to do.

*LORD BALFOUR: If the rateable value increases, there will be a less amount per £1 required. Therefore, if the rateable value increases, the whole present rate will not be required, and the owner will get the benefit.

*THE MARQUESS OF HUNTLY: I will withdraw the Amendment.

THE EARL OF ELGIN: The object of the Amendment, of which I have given notice, is to deal with the case of detached portions of a county in which there might be a difference between the average rate as between the county from which it is detached, and that to which it is attached; but, as I understand that the noble Lord has not had time to consider this Amendment, perhaps he would consider it before Report.

THE MARQUESS OF LOTHIAN: It did not appear to me to be necessary, but I prefer to consider it on Report, as I have not yet seen the Amendment of the noble Lord.

Clause agreed to.

Clause 28.

*THE MARQUESS OF TWEEDDALE: The object of the Amendment which stands in my name is to confer on Corporations representation in consideration of contribution to local rates. As the law stands at present, Corporations, such as Railway Companies and others, are entitled to very substantial representation on all the Local Boards of Scotland. Under the present Bill this representation is denied them altogether. I frankly admit that I do not anticipate a very hearty reception to this Amendment from the noble Marquess, but having in consideration the fact that the contribution of the Railway Companies amount to £200,000 a year, and the fact that in many counties they are the largest ratepayers, I think the noble Lord will not deny that they have a very large interest in the proper collection of rates, and in the efficient disposal of them. The representation which I ask for them is a very small one indeed, but it does recognise a principle which appears to me to be departed from in this Bill—the principle that where rates are paid representation should go hand in hand with them. At any rate I shall ask my noble Friend if he will explain on what ground, on what principle the representation is altogether denied to these bodies who, as I have said, contribute so largely to the local rates in Scotland.

Amendment moved, in page 21, line 10, after "county elector" add—

"And every company or corporation owning or occupying property shall be entitled to have the name of their chairman or secretary or other official placed on this supplementary register and that he be thereby constituted a county elector."—(*The Marquess of Tweeddale.*)

THE MARQUESS OF LOTHIAN: In answer to the last question of the noble Marquess, I think the burden of proof rather rests upon him than upon me. He asks that I should consent to put a

certain position, under this Bill, upon persons who do not otherwise have it under the Bill, and which position would be entirely exceptional. I do not quite understand the object of the noble Marquess unless it is this, that in every district there should be some direct representation of some Corporation, or the particular Corporations, if I may say so, which he represents—namely, the Railway Companies, as the direct representation of the parish in every electoral district. In the first place, I should say that one single voter in each electoral district would not probably make very much difference one way or the other to the interests of a great company such as that which the noble Marquess represents. On the other hand, if there was special representation given to the interest he represents it would be going, as I said just now, against the principle of the Bill, for the electorate is based upon the Paliamentary register, and you will have to introduce another register to meet the proposal of the noble Marquess. But if the object is to have direct representation upon the County Council, then, of course, there comes a rather more important question. But I ask the noble Marquess to consider this—that it is not only the very large Corporations which would come under such a clause as that which he proposes, but Corporations of all sizes. Very large and important Corporations would be represented; but, if so, even small and unimportant Corporations would have to be represented also, and the question of gradation between the large and small Corporations would be quite inconsistent with the existing principles both of Imperial and local representation. I do not think the noble Marquess need be very much alarmed as to want of representation, because surely in the cases of Corporations such as that he represents there would be no difficulty in finding proper representatives in every district for the County Council. In his own county I have no doubt that the noble Marquess, as Chairman of the Company, would easily find a seat upon the County Council, as indeed I hope he will. However, I should say that there will be no difficulty whatever in any district. That remark would refer not only to such an interest as that of a Railway Company, but of all other Corporations of a large and important description. I think what the noble Marquess asks me to do is to introduce a new principle into the Bill altogether, and one which I do not think the object which he would seek to obtain would justify me in agreeing to, and therefore I am afraid that in this case I must also decline to accept his Amendment.

Amendment (by leave of the House) withdrawn.

Clause agreed to.

Clauses 29 to 39 agreed to.

Clause 40.

THE EARL OF CAMPERDOWN: I beg to move the omission of this clause. I may explain to your Lordships very briefly the history of these two parishes, which rejoice in the names of Cumbernauld and Kirkintilloch. They belonged, some time ago, to a noble Lord, and I think it suited him that those parishes should be comprised within the County of Dumbarton, and he arranged accordingly; and these two parishes, although they are not adjacent to the County of Dumbarton, and are separated from it, were, and still are—for all purposes except that of roads—part of the County of Dumbarton. When the Road Act of 1878 was passed no special arrangement was made with reference to these parishes, and, in pursuance of the terms of the Act, it came to pass that the County of Stirling—of which these two are the largest parishes—became the county to which, for road management, they belonged. In consequence of that arrangement, the County of Stirling has made a road district of which, I believe, these parishes form more than a half. A good deal of expenditure has fallen upon the county in consequence. This Bill proposes to take these two parishes, and to take them out of the County of Stirling, in which they have been for the last 10 years, and to put them into the County of Dumbarton. To that arrangement the County of Stirling strongly objects. With regard to the merits of the case, I do not wish to say anything, but the case which I have to present to the House is this, that by the clauses which come a little later in the Bill the Government is establishing Boundary Commissioners, whose duty

it is to consider and to settle questions of this very sort, and it seems to me that this question which is contained in Clause 40 is exactly one of the questions which the Boundary Commissioners are appointed to settle. The County of Stirling complains very bitterly that it has not been heard on this Bill. It says that the clause was not in the Bill originally, and at a comparatively late stage in the progress through the House of Commons the clause was inserted, and the County of Stirling against whose interest it militates had no opportunity of stating their case against the clause. I do not think I need say anything further. Perhaps there is one little remark I ought to make. Suppose that this clause is struck out of the Bill, it is represented (and I think this is the strongest argument that can be produced against me) that these two parishes, which are now part of the County of Stirling for roads only, and are part of the County of Dumbarton for health and all other purposes, will become part of the County of Stirling for all purposes. I admit that that appears to be something of a case against me, but I would point out that the only effect really would be this, that it would make it imperative for you to delay this clause, and imperative upon the Commissioners o settle and decide this question, and that is exactly what I think ought to be done, and exactly what the principle of this Bill lays down as the duty of the Commissioners.

*THE DUKE OF MONTROSE: I rise to support the Amendment of the noble Lord. I may say I live in Stirlingshire, and am conversant with county business, and know how detrimental it will be to the County if these two Parishes are taken away too summarily by Act of Parliament. I do not suppose for a moment that Stirlingshire wishes to retain these two Counties if it is considered advisable that they should be handed over to Dumbartonshire, but there are financial questions of considerable importance, and, besides, there are several other parishes in the County of Stirling which are more or less on the same footing as those two, and it is for those reasons that the county considers that the question should be decided by the County Commissioners, and that no good cause has been shown for singling out those two Parishes out of the whole scheme for this special legislation. I hope the noble Marquess will see his way to omit this clause.

THE DUKE OF ARGYLL: After the two speeches we have listened to one would think that the tedium of discussions in this House is likely to be relieved by a revival of the battle of the clans. I rise on the part of the County of Dumbarton to protest against the Government agreeing to this amendment. There are very curious historical matters in connection with this clause. The County of Dumbarton is one of the oldest and most interesting historical counties in Scotland. It has a strong *esprit de corps* of its own; it has a history of its own. The ancient County of Dumbarton, as the noble Duke well knows (for a considerable part of the ancient territory belongs to him) was the Lennox, one of the old and most important historical divisions in Scotland, giving one of its oldest titles to the Royal Family of Scotland. The word Lennox is derived from the Valley of the Leven; it is a mere corruption of Levenax. As long ago as the 14th or 15th century there was a division made owing to certain circumstances of convenience at that time, in which two large divisions (parishes now) were annexed to the Parish of Dumbarton to the eastward of its old boundary, and in exchange for that no less than seven parishes were detached from the ancient Lennox, and given to the County of Stirling. It is an old bargain, 300 or 400 years old, and what is gravely proposed to this House now is that this old bargain should be revoked, and that the County of Stirling should annex the two great Parishes of Kirkintilloch and Cumbernauld in order to get their assessment within their own boundary without giving up the corresponding parishes.

*THE DUKE OF MONTROSE: The noble Duke misunderstands me.

THE DUKE OF ARGYLL: That is the effect of the repeal of this clause. My noble Friend has also stated it rather broadly to the House when he speaks of this as a change from the existing state of things. The effect of the 40th Clause is to keep the existing state of things. I have read with much astonishment the statement made by the Com-

missioners of Supply of the County of Stirling. They say distinctly that—

"The position of the Parishes of Kirkintillock and Cumbernauld is exactly identical with the Parish of Kelenore and in former Acts of Parliament concerning Local Government, have been treated accordingly."

That is quite at variance with the fact. The two last important Acts which have been passed for Local Government in Scotland, one in 1857 and the other in 1868, had a clause precisely similar to this. The one was an Act of 1857 for regulating the police in counties and burghs in Scotland, and the other in 1868 was for levying the general County Assessment. In both these Statutes there was a corresponding clause the two parishes of Kirkintilloch and Cumbernauld, and preserving them in their ancient historical connection with the County of Dumbarton. This will be a serious matter for the County of Dumbarton. The two parishes of Kirkintilloch and Cumbernauld originally at the time of the old contract were empty moor land and very poor land. They are now full of mineral riches and afford a large field for assessment by the County of Dumbarton, and the only pretence for leaving out this clause is that for road purposes these two parishes were created a separate district in connection with the County of Stirling. That is quite natural. For road purposes they are surrounded by two different counties, and it would be inconvenient that they should be separated from their coterminous boundaries. But as regards judicial work and police they have always preserved their connection with the County of Dumbarton, and the County of Dumbarton objects to having so large and accessible an area withdrawn from its ancient boundaries. The Government in putting in this 40th Clause have followed precisely the precedent followed by the two last Local Acts connected with the Government of Scotland, and I object exceedingly to the Amendment, and I hope the Government will resist it.

THE EARL OF CAMPERDOWN: I omitted to state what was really the very strongest argument I possessed, which is this, that if this Clause 40 is allowed to stand in the Bill the Commissioners will have no power to settle questions of expenditure which may arise, because the matter in question will have been disposed of. But it seemed just now as if there was going to be a regular Battle of the Clans. I thought Loch Lomond was going to rush down from Stirling to Inverary. But after all, the noble Duke and I are not so very far apart. He says he only wants to keep the existing state of things—that is all I want to keep. For the purposes of road management, these two parishes, in despite of all ancient history, have been part of the County of Stirling for the last 10 years. For the purposes of police, health, &c., they have been part of the County of Dumbarton. We do not want to change either of these things, but it is the noble Duke's friends who put into the Bill a clause which summarily removes these two parishes from Stirling, and settles the question in favour of Dumbarton. Our proposal is simply this. We say hand the existing state of things, both with regard to roads and police, over to the Boundary Commissioners as you proposed to do with all other questions. Let them settle the question in the manner which seems to them best; they are the only people who can settle it satisfactorily and fairly, because they are the only people who have power to settle financial questions between the two counties.

*LORD WATSON: Having had something to do with the Roads and Bridges Act of 1878, perhaps your Lordships will allow me to make an observation with respect to this question. I thought at that time that Dumbartonshire was somewhat severely treated, but with necessary severity, because there were certain great turnpike roads that ran through the two counties of Lanark and Stirling, and traversed this outlying part of Dumbartonshire. It was very expedient in the state of matters at that time that the road authorities of Stirlingshire should have charge and control within this district, but I must say that it never entered into the mind of anyone who had to do with the Measure that they ought in the least degree to impair the integrity of the somewhat small County of Dumbarton. I believe that owing to the spread of railway communication in Scotland and the cesser of long-distance traffic over these main lines of road, the causes which rendered it very proper to incorporate for road purposes only these two

parishes with the County of Stirling in the year 1878, have been gradually disappearing, and that the area now contains district roads only properly so called. At the same time there is a good deal to be said for part of the observations of the noble Earl. These two parishes have hitherto been dealt with as an integral part of one of the Stirlingshire Road Districts. There may have been liabilities incurred by Stirlingshire with respect to this part of Dumbartonshire, which for road purposes Dumbartonshire ought not to retain without taking over its due share of liabilities, and if the noble Marquess who has charge of the measure could see his way to it, I think the present clause might stand, with an addition to the effect of making a reference to the Boundary Commissioners under the Act to settle any question of disputed compensation between the two counties.

THE DUKE OF ARGYLL: I do not understand the 40th Clause to prevent the existing arrangement in regard to roads only continuing. I do not think it will.

*LORD WATSON: It puts an end to the existing road arrangements and is intended to do so, I believe.

THE DUKE OF ARGYLL: I have no objection myself, personally—I do not know what may be the opinion of the whole body of the Commissioners of Supply of the County of Dumbarton, but I see no objection to the continuance of the existing state of things as regards the roads only, but the striking out of this clause would be practically the annexation of these parishes to the County of Stirling.

THE DUKE OF HAMILTON: None of the noble Lords who have spoken have informed us what are the wishes and sentiment of the inhabitants of the two parishes upon this point. Would not the Boundary Commissioners be able to inform us upon the subject?

THE MARQUESS OF LOTHIAN: This is apparently a very difficult question. I have given a great deal of consideration to it, because the question has been brought very strongly before me in the interests both of the County of Stirling and the County of Dumbarton. First of all I would like to say, in reference to what has fallen from the noble Lord who has just spoken as to the feelings of the two parishes of Kirkintilloch and Cumbernauld, that I think that what their views are may be fairly taken for granted from the course which they have hitherto followed. In 1857, as the noble Duke has said, under the Police Act, the position of these two parishes was maintained, but there was a proviso enabling the two parishes to be transferred to the County of Stirling if the ratepayers wished. The ratepayers never took advantage of those powers, and we may judge from that of what their wishes were. In 1868 an identical clause was inserted, and the ratepayers followed the same course. Therefore we may take it for granted that they do not wish to be transferred, but wish to remain part of the County of Dumbarton. With reference to what the noble Duke said just now as to these two parishes remaining in the County of Stirling simply under the Road Act, I do not think that that is possible. The effect of this clause as it stands would be to transfer the whole power both under the Road Act, and the Police Act, and all the other Acts to the County of Dumbarton. With regard to the financial aspect of the question the noble Earl seemed to confine his observations to the matter of roads only; but it must be recollected that the financial aspect also touches Dumbarton at this moment with reference to all the rates. The rateable value in these two parishes is enormous. Out of £450,000 the annual value of the whole county, these two parishes account for £81,000, or 18 per cent of the whole. If that was taken away from Dumbarton, as it would be according to the proposal of the noble Earl, it would make an enormous difference to the County of Dumbarton. With reference to what the noble Earl said just now as to the financial arrangements between the two counties with reference to any capital which might have been spent under the Road Act in these two parishes, I think there is very great force in what the noble Earl has said. I understand that the County of Stirling has spent about £2,000 of capital upon the roads in these two parishes of Dumbartonshire, and it certainly would be a very strong thing to transfer the two parishes to Dumbartonshire for road purposes without some compensation by which this £2,000 or some equivalent sum might be given back to

Stirling. The whole question before the Committee is whether really these two parishes should be placed within the jurisdiction of the Boundary Commissioners. My own opinion is that, under the Bill, the Boundary Commissioners have powers to deal with these parishes, but the clause, as it stands, does not take them out of the administration or powers of the Boundary Commissioners; but if there is any doubt upon that point, I should like to make it clear that it is not the intention of the Bill that they should be taken away for reference to the Boundary Commissioners, and I propose, therefore, at the end of Clause 40, to introduce words to this effect—

"That nothing in this section contained shall affect or limit the powers and duties of the Boundary Commissioners or the Secretary of State for Scotland under this Act."

I think if those words were introduced, leaving Clause 40 as it now stands, it would give an indication to the Boundary Commissioners that in the opinion of Parliament these two parishes ought to remain as they now are, part of the County of Dumbarton, and to give to the Boundary Commissioners the right to take evidence and to make any arrangement they think fit as to pecuniary matters between Dumbarton and Stirling.

THE DUKE OF ARGYLL: I do not quite understand the proposal of my noble Friend. Does he mean that the Boundary Commissioners may transfer these parishes wholly, for all purposes, from Dumbarton to Stirling, because that I should certainly object to. To give the Boundary Commissioners power to trace boundaries between parishes, and arrange as to deviations and so forth, is a very different thing to giving power to such a body to cut off what has been a substantial part of a Scotch county from all its history and associations.

THE MARQUESS OF LOTHIAN: I am afraid that would be the effect of my proposal—it would give that power to the Boundary Commissioners, although I do not think that would be the result, but I do not see how otherwise it would be possible to make provision for payment of compensation for the differences between the two counties.

THE EARL OF CAMPERDOWN: My object is not to withdraw this question from the cognisance of the Boundary Commissioners, and I am quite prepared to accept the proposal which has been made.

THE DUKE OF ARGYLL: It seems to me that the Amendment of my noble Friend is virtually the repeal of this clause, because this clause runs on all fours with the clauses in the previous Act of 1878. What I suggest to my noble Friend is that the Boundary Commissioners should have special power to make special arrangements in any case that may arise, but that they should not have the power to disintegrate altogether these two parishes.

*LORD WATSON: I entirely sympathise with the observations made by the noble Duke. If the clause has the meaning which the noble Marquess seems to attach to it it ought to have run thus:—

"The Commissioners in exercising their powers under this Act shall treat the County of Dumbarton as if it had contained these two parishes within its limits up to this date."

That seems to be the view which he takes of this clause. I cannot so read it. It is a substantive enactment to the effect that for every purpose in this Bill these two parishes shall be considered as forming part of the County of Dumbarton, and after enacting that substantively in the first part of the clause, it is proposed to add a contradiction in terms—namely, that these shall not be for the purposes of this Act part of the County of Dumbarton if the Commissioners under the Act shall so will it.

*LORD BALFOUR: I can see nothing in the Bill to prevent the Boundary Commissioners dealing with these two parishes as the Bill now stands; all the Bill does is to alter the first presumption. The presumption throughout the whole Bill is that the contents of counties for the purposes of this Bill shall be the contents according to the Roads and Bridges Act. The effect of this clause as it stands is in respect of these two parishes to alter the presumption, and to put it the other way; but there is nothing in this clause, as I read it, to withdraw the matters affecting these two parishes from the cognisance of the Boundary Commissioners. I think it is fair to consider the great importance to the County of Dumbarton that the presumption should be put with them in respect of these parishes. The ancient connection of these two parishes

is with the County of Dumbarton; so far as we can judge of the feelings and wishes of the people their wishes go with the County of Dumbarton. But, on the other hand, it would be obviously unfair, and everybody has admitted that the Stirlingshire people should get no compensation for the outlay at which they have been in regard to these two parishes if they are to be taken for road purposes out of their present district and put into the County of Dumbarton. Surely, the Bill as it stands is intended to operate thus, that while the presumption shall be with the County of Dumbarton, the Boundary Commissioners, under Clause 48, shall consider the whole circumstances of the case, and make such arrangements as shall seem to them fair. It may be that the Boundary Commissioners shall pay a money compensation to the County of Stirling. It may be that they will decree that these parishes should become part of the County of Stirling. It may be, on the other hand—at least I think there is nothing in the Bill to prevent it—that for all purposes except roads they shall be considered to be in Dumbarton, but that for road purposes they shall go Stirling. I think that is possible. We are simply considering on one side what the presumption shall be, and upon the facts stated by the noble Duke opposite, and on account of the historical connection with the County of Dumbarton, and of the great value of these parishes to that county in proportion to the whole value of the county, it is fair that the presumption should be in favour of Dumbarton. But I think the noble Marquess behind me who has charge of the Bill made it quite clear that even the Bill as it stands does not withdraw these two parishes from the cognisance of the Boundary Commissioners.

THE DUKE OF ARGYLL: I should like to have the opinion of the noble and learned Lord as to the construction of this clause. As it stands I certainly read it as a substantive clause, and so does the noble and learned Lord on the Cross Benches, and as he is one of the Judicial Members of your Lordships' House, I think his opinion on the construction of the clause is more relevant to this discussion than even the opinions of my noble Friends opposite, although they are responsible for the drafting of the Bill. What I would like to know from the noble and learned Lord is whether he adheres to the interpretation he puts on it, that it does withdraw the case of these two parishes from the free discretion of the Boundary Commissioners?

*LORD WATSON: I am not fond of giving, and indeed cannot pretend to give, judicial decisions in Committee of your Lordships' House; but I do not hesitate to say that, in my opinion, the enactment is absolute, and that the County of Dumbarton would be much better off under the clause as it stands than under the clause as the noble Marquess proposes to extend it.

THE DUKE OF ARGYLL: I hope that before Report the noble Marquess will do this, which I think will be a fair compromise—that he will maintain the principle of the two previous existing local Acts, that there should be a distinct declaration on the part of Parliament that these two parishes are an integral part of the County of Dumbarton. They have been so for 400 years; they are an important part of the assessable value of the county; but with regard to the management of roads, and all the applications connected with it, the Boundary Commissioners should have full power over it.

THE MARQUESS OF LOTHIAN: I have no desire to change the presumption in this Bill, that is to say, that the two parishes should remain integral parts of the County of Dumbarton; but in consequence of the difficulty which has arisen, I am quite ready to consider the proposal of the noble Duke, and to state upon Report what conclusion we arrive at.

Clause agreed to.

Clause 41 agreed to.

Clause 42.

THE EARL OF ELGIN, in rising to move the insertion of a new clause, said: This clause is to meet the local circumstances of Fife. The Commissioners of Supply of the County of Fife do not possess any county buildings; they are all held under local Acts by the Court House Commissioners; and, as this Bill proposes to throw upon the County Council the duty of providing rooms for the meetings of the Commissioners of Supply, the Justices, and other Bodies, it is thought it would be necessary that they

should have possession of the county buildings. There does not seem to be any reason for maintaining the separate existence of the Court House Commissioners, and therefore, by this new clause, I propose that all their duties and obligations should be transferred to the County Council.

Amendment moved, in page 30, after Clause 41, insert as a new Clause—

"With respect to the application of this Act to the county of Fife, there shall be enacted the following provision, namely: The Acts fifth and sixth William the Fourth, chapter sixty, intituled 'An Act for providing in or near the burgh of Cupar more extensive accommodation for holding the courts and meetings of the sheriff, justices of the peace, and commsisioners of supply of the county of Fife, and for the custody of the records of the said county,' and the Act tenth Victoria, chapter thirty-two, known as 'The Dunfermline and Cupar Court Houses Act, 1847,' are hereby repealed, and all the powers and rights conferred by said Acts, and the duties, obligations, and liabilities imposed by said Acts or otherwise upon the commissioners for whose appointment said Acts provide, and all lands, buildings, funds, effects, and property of whatever description belonging to or vested in said commissioners, and all debts and obligations of whatever nature of said commissioners, are hereby transferred to the county council of the county of Fife."—(*The Earl of Elgin.*)

THE MARQUESS OF LOTHIAN: I am quite ready to accept the clause that the noble Earl proposes.

Amendment agreed to.

Clause added, and numbered 42.

Clause 43 (in the Bill 42) agreed to.

Clause 44 (in the Bill 43).

THE EARL OF ELGIN: If I am right in understanding that the sub-section of this clause will have the effect of attaching every detached portion of a county as it is attached under the Roads and Bridges Act for all purposes, and, at the same time, that that will not withdraw it from the cognizance of the Bonndary Commissioners hereafter, to determine whether it would not be better to attach it to some other county, then the Amendment which I have on the Paper would not be necessary.

THE MARQUESS OF LOTHIAN: The interpretation which the noble Lord has just put on the sub-section is quite correct, and I was going to ask the noble Lord to withdraw his Amendment, because it is not necessary.

Clause agreed to.

Remaining Clauses to Clause 76 (in he Bill 75) agreed to.

Clause 77 (in the Bill 76).

LORD ELGIN: I wish to point out to the noble Marquess that it appears to me he has omitted to provide in this clause for the case of a County that does not divide itself into districts. The proviso states that a county, if it think it expedient, need not divide itself into districts in certain cases, but if that happens what is to be done with regard to the powers and the duties of the district itself? The following clause, which lays down the constitution of the district itself, is specially limited to that denomination, and I imagine that under this constitution, if a County Council resolves that it would not divide itself into districts there would be no means of introducing into the County Council for the management of the roads and the administration of the Public Health Act, the representatives of the Parochial Board and the representatives of the burghs, who are admitted under the next following clause. Now I do not quite follow how the administration would be carried out. Under these circumstances I beg to move the proviso of which I have given notice, unless the noble Marquess would like to consider it further.

Amendment moved, in page 53, after line 27, insert—

"Provided also that where a county is not divided into districts the County Council shall, for the purposes of this section, be constituted in like manner as a District Committee under this Act."—(*The Lord Elgin.*)

THE MARQUESS OF LOTHIAN: I think the suggestion of the noble Lord is a very reasonable one, but it has only just been put into my hands, and I would like to consider it before Report.

Amendment (by leave of the House) withdrawn.

Clause agreed to.

Remaining clauses to Clause 80 (in the Bill 79) agreed to.

Clause 81 (in the Bill 80.)

*THE MARQUESS OF TWEEDDALE: It would appear that if a special water

supply district became included in a district formed under this Bill, which will include several parishes, the District Council would be entitled to levy a rate upon the whole district, and not upon the special water districts. Suppose a special district is formed in one parish, and that parish forms part of one of the new districts about to be formed. The rate for the special water district would be levied on the whole. That would be unfair to the parishes which it is proposed to unite in forming districts under the Bill. I beg therefore to move the following Amendment

Amendment moved, in page 55, at end of clause add as new Sub-section—

"(4.) All expenditure incurred by such Local Authority in any water supply or drainage district, including repayment of debt and interest, shall be assessed as hitherto on the lands and heritages within such water supply or drainage district. Clause 82, page 55, line 32, leave out from the first "the" to end of line 9, page 56; Sub-section 3, page 56, line 10, leave out "may" and insert "shall."—(*The Marquess of Tweeddale.*)

THE MARQUESS OF LOTHIAN: I think the noble Marquess has pointed out a difficulty which may exist under the wording of the Bill, but I cannot say at this moment that I am prepared to accept the exact words of the Amendment, and I would like to have an opportunity of considering this with the other matters which have been postponed and putting it right upon Report.

Amendment, by leave of the House, withdrawn.

Clause agreed to.

Clause 82 (in the Bill Clause 81) agreed to.

Clause 83 (in the Bill Clause 82.)

THE DUKE OF ARGYLL: The Amendment standing in the name of the noble Lord Elgin is much the same as an Amendment which I have put down on the Paper, and my noble Friend has asked me to state our reasons for it. In some observations which I addressed to your Lordships to-night, I referred to the Treasury as a terrible Department. I am afraid we have here an example of the effect of the Treasury influence upon the drafting of Bills. I believe these clauses were put in in the other House of Parliament at the last moment and attracted very little notice or attention. I have not spoken to any one person connected with Scotland who has not most seriously objected to them. The state of the matter is this: In 1857, Parliament passed an Act enabling the Commissioners of Supply of all the Scotch counties to appoint a Revenue Officer as their County Valuer, and holding out to them the advantage that if they did so the expense of the valuation would be borne by the Treasury. That is more than 30 years ago. A very large number of the counties of Scotland have taken advantage of that provision. It so happens that the county with which I have chiefly the honour of being connected did not adopt it. We have an Assessor of our own who conducts all the valuations for public purposes; he is a very able officer, and I trust the County Council will not be likely to change him. Out of all the counties of Scotland, all but four did take advantage of this Act of 1857. For 30 years they have been in the habit of appointing as their own Valuer some public officer of the Revenue, and I believe the arrangement has worked most satisfactorily. I have often heard Mr. Gladstone in former days, when I was his colleague, speak of the effective manner in which these matters were conducted in Scotland, and the punctuality with which public taxes were paid. Very much of this depends on the unity of action between the County and the Treasury in these matters. This has been going on for more than 30 years and given great satisfaction, and yet now in this Local Government Bill comes this formidable proviso,

"Provided that where the Assessor is an officer of Inland Revenue any regulations made by the County Council with respect to his duties and conduct shall be subject to the approval of the Treasury."

That is to say that we can no longer appoint a Government officer without making ourselves, through him, the servant of the Treasury obliged to receive any orders the Treasury may issue in respect of valuations, I suppose, or in respect of the duties of that office. That is a very serious demand, and it is quite possible that it may lead to the abandonment by the Scotch counties of that happy system under which the two authorities have been working together, of employing officers mutually appointed for all

common purposes, at least for purposes which are common to them in a very large extent. Now, what is the object of this new arrangement? I cannot conceive it. Of course, under the present system, when we appoint a Revenue officer we do not withdraw him from the cognisance and superintendence of the Treasury. The Treasury may dismiss any of their officers whenever they please, and the County would then have to look for another Assessor, but practically I believe such a disagreement has never happened. On page 57, at the top, there is another proviso—

"Provided that where the Assessor is an officer of Inland Revenue, the amount of the salary, wages, and allowances awarded to him shall be subject to the approval of the Treasury."

Now, I am unwilling to ascribe to the Treasury any object which is not openly avowed; but it looks uncommonly as if the Treasury wished to withdraw the advantage which, under the present Act of Parliament, we now enjoy, and which was held out to us by the Act of 1857, that in such case the expense attending the assessment by such officers should be defrayed by the Commissioners of Inland Revenue. It is quite clear that if the Treasury have an absolute power of dictating what the salary shall be, they may exact a bargain from all the counties that the salary shall be such as to relieve them of half the expense which they now pay on the cost of valuations. If that is the object of the Treasury I think it should be avowed and provided for in a special clause; but as the Bill now stands it is dissociated from any public purpose of any value, and is open to grave suspicion as regards its object, and certainly may be construed as exercising an effect upon the future position of the County Councils. If the Government wish to deal with this question separately I have nothing to say—if they wish to revise the bargain which was made in 1857 with the Scotch counties on this subject I have no objection; but it is hardly fair to introduce into this Bill a clause which will have this effect without its having been really discussed or contemplated by the counties of Scotland.

THE EARL OF ELGIN: After what the noble Duke has said I will say nothing further than that I was myself going to move to delete the last part of this clause, and that I was asked to do so by the Town Council of the Burgh of Inverary, and also by the Bills Committee of the Commissioners of Supply of Aberdeen. I believe that a Select Committee is sitting at the present time to inquire into the valuation of rating in Scotland, and I think it would be very much better to wait at all events till that Committee had reported, and then to deal with the whole subject.

Amendment moved, in page 56, line 19, to leave out from "provided," to "Burgh," in line 28.—(*The Duke of Argyll.*)

THE MARQUESS OF SALISBURY: There is no subject more interesting to a well-constituted Parliamentary mind than examination into the motives which guide the Treasury. A perfect wealth of interesting problems are suggested by that study; but I must say I think the noble Lord has in this case attributed too grave and sinister a meaning to these clauses. I think that they are simply the thought of the draftsman to protect the Treasury from any exceptional diminution of the functions and powers which it already possesses; because if the noble Lord will consider, he will see that according to our present conception of the law every one of the things which is enacted by these provisoes the Treasury can secure itself by threatening to dismiss the man unless they are fulfilled. Therefore I conclude that the draftsman has been afraid that the language of the clause would oust the Treasury of this natural jurisdiction. That jurisdiction must remain to it. The Treasury must have the power of dismissing its officers if it chooses, and of course if it can dismiss its officers when it chooses, it can insist that any regulations made with respect to their duties and conduct are such as it approves of. In the same way it insists that the amount of the salaries and allowances shall be such as it approves of, or the officer goes; and either that they thought it a more respectful mode of dealing with County Councils, or as I think is more probable, that it is one of those things which the draftsman put in *ex abundanti cautelâ* in order to prevent in legislative action that which is not necessary, they have put in what to the lay mind seems mere surplusage. I am afraid I cannot say

that I have any message from the Treasury; but the Treasury do not live very far from here, and are in a state of vitality in the course of the day, and their view can be easily ascertained, but I am convinced that it has no such dark and sinister meaning as the noble Lord attaches to it.

THE EARL OF CAMPERDOWN: All that is asked by those who oppose this clause is that the position with regard to the Assessors in the Scottish counties should be left exactly as it is. That has existed, as the noble Duke has pointed out, for 30 years, and I suppose that during that time the Treasury have had control over their officers in all respects as the noble Marquess opposite would desire for them. I wish also to emphasize what the noble Lord opposite has said, that this matter is one which was specially brought before a Select Committee of the other House last year, which was appointed for the very purpose of inquiring into the valuation question in Scotland. This question was brought before the Committee by the representatives of the Inland Revenue in Edinburgh, and the very proposals which are now embodied in this Bill were brought forward by that officer as an alteration which he desired to make in the law. Therefore, I think the particular provisions cannot have been introduced as the noble Marquess has said by accident.

THE MARQUESS OF SALISBURY: I did not say that. I said *ex abundanti cautelâ*.

THE EARL OF CAMPERDOWN: Exactly; but they must have been introduced by the Treasury in order to bear out the views which their officer expressed before the Select Committee. That Select Committee has been reappointed this year; it has not presented its Report, and under the circumstances I think it is only fair to the Scotch counties that, as the noble Duke behind me (the Duke of Argyll) suggested, the whole subject should be left over to be treated separately if the Government were so advised, after the Report of the Select Committee.

THE EARL OF GALLOWAY: I think it would obviate the objections to this clause if these words were added:—

"That the Commissioners of Supply in counties and Magistrates in burghs in appointing the Inland Revenue Officers as Assessors in their respective spheres, should retain the privileges given them in so doing under the Land Valuation Amendment Act of 1857, 17 and 18 Victoria, Chapter 88."

It seems to me that that would be a solution which would meet the views of everybody.

THE DUKE OF ARGYLL: Before my noble Friend answers I would suggest that these clauses, which I believe to be unnecessary as regards the power of the Treasury, should be struck out until the Committee of the House of Commons, which is now sitting upon this very subject, has reported. If my information is not incorrect, the officer of the Treasury who recommended to that Committee some change of this kind did not conceal that his desire rested on the ground of reconsidering and altering the financial arrangement between the Treasury and the counties, and that he would, in fact, throw again the whole expense of valuations upon the counties. As I have already said, that is a matter for consideration in any general arrangement, and I think it should not be introduced in the way it is in this Bill. With regard to the suggestion that these words are merely put into the Bill *ex abundanti cautelâ*, I would point out that in line 55 there is a proviso saving existing appointments, which shows that it does contemplate an alteration in the present state of things. Under the present state of things the Government may dismiss any man they like, but there is a special provision that in the case of men now holding office, this clause should not apply.

THE MARQUESS OF LOTHIAN: I think after what has been said by the noble Marquess the Prime Minister, it is unnecessary for me to go in any detail into this question, because he suggested, and I understood that the House has accepted the proposal, that the question should be further considered on Report after the Government had ascertained more distinctly what are the views of the Treasury. The noble Duke seemed to think that the Treasury by this proposal have some sort of idea of altering the financial arrangements as between the counties and themselves with reference to the payment of their officers for making up the valuation of the county. I would like to say with reference to that, that I am quite certain that it is not the intention

of the Treasury in the smallest degree to take advantage of anything under this Bill to make any change of the kind; not only is it not their intention, but I am firmly convinced that it is not in their power to do it, because under the Act of 1857 the Commissioners of Supply were enabled to appoint an officer of the Inland Revenue as Assessor for the Valuation Roll, and the arrangement with the Treasury then was that the Treasury should pay the whole of the salary of that officer for making up the Valuation Roll. By this Bill that Act of 1857 is not repealed nor any portion of it; and, therefore, I think that so long as that Act remains in force the Treasury are bound, by the arrangement and the obligations under which they came in virtue of that Act. I only wish to say that, in reference to what has fallen from the noble Duke with reference to the other question raised by the Amendment, I think that had better be deferred till Report.

THE MARQUESS OF SALISBURY: I suggest that course because it is quite possible that we may introduce some formal words which may meet all the views which have been expressed.

Amendment, by leave of the House, withdrawn.

Clause agreed to.

Remaining clauses down to Clause 108 (in the Bill Clause 107) agreed to.

Clause 109 (in the Bill Clause 108).

THE EARL OF CAMPERDOWN: I beg to move the omission of this clause. The object of the clause is to insure that the Lord Lieutenant of the County, the Convener of the County, the Chairman of the County Road Trustees, and the Chairman of the Local Authority of the County, shall be placed upon the first County Council. I believe that if the clause is carried, it will have an effect exactly contrary to that which the framers of the Bill intend. Certainly these officials will be members of the first County Council, but they will be placed in a position of very great difficulty after that time, because when their term of office expires they will have no seat of their own, and unless some of the existing members of the Council wish to resign, these officials, who are manifestly some of the most prominent men in the county, will find themselves placed in the disagreeable position of having to oppose some other person who has a seat. It is very probable, too, that some of these four officials may prefer to stand on their own merits instead of on their *ex officio* qualifications. If they do, they will almost to a certainty not be elected, because the electors will say—"Why, these four officers have seats found for them by the Act, and yet they are not content, but must also aspire to have a seat of their own as well," and many persons will vote against them for that very reason. The feeling which underlies this clause, and which has dictated it, is one which is very reasonable indeed—that these four persons ought to be on the new County Council. I am exactly of that opinion, and I do not believe that the persons who have discharged any of these county offices with credit, will find any difficulty in obtaining a seat upon the new Council, always provided that we have a reasonably sufficient number of County Councillors. I think the clause is rather an invidious one, and that it will have an effect quite different from that which the framers intend, and for that reason I beg to move its omission.

Moved, "To omit Clause 108."—(*The Earl of Camperdown.*)

THE MARQUESS OF LOTHIAN: I am sorry that the noble Lord has thought it necessary to move the omission of this clause. I quite appreciate the difficulties which he has suggested, but I do not anticipate that they will be realised to the extent which he fears. The noble Earl speaks as if it was absolutely certain that these four persons who are included in this clause as the *ex officio* members, will be elected on the General Council at the first election. I do not know what guarantee the noble Earl has for that. I think it is quite possible that persons who have shown great aptitude and great interest before in county business would be elected at the first election, but on the other hand there is no guarantee whatever for that. The noble Lord rightly understands that the object the Government have had in view in inserting this provision is to ensure that these four *ex officio* members should be added to the County Council for the first term of its existence. There is no guarantee whatever as to who will be elected on

the County Councils, they may be altogether, or a large number of them may be and are very likely to be those who have had any knowledge or taken any part in county business and in the interests of the work of the County Councils, in the future it is very desirable indeed that certain members of the existing administration, who have had great experience, and have great knowledge, and have taken a great interest in the affairs of their counties shall be placed upon the County Council without the possibility of their being excluded. I think your Lordships will require no argument to appreciate the desirability of there being some sort of connecting link between the old system and the new one. I do not believe that there will be the difficulty which the noble Lord seems to anticipate with regard to the future election of members who are *ex officio* upon the first Council. Surely these four representative persons in the County Council will find some means of standing for an election without displacing anyone whom they would wish to see still upon the Council at some future election. I do not anticipate these difficulties. I feel perfectly certain, in the interests of the future work and future conduct of business by the County Councils, that it is of the greatest possible advantage to them that they should have the advice and guidance of those who are intimately acquainted with the county business as it has hitherto been carried on. On these grounds I think your Lordships will be advised well if you agree to the clause as it stands.

THE EARL OF CAMPERDOWN: I would like to say with regard to this clause that I have had communication with a good many gentlemen who will come under its operation, and I have not found one who is in its favour. No doubt it is extremely desirable there should be a connecting link between the old administration and the new, but the question with regard to this clause is whether that connecting link is introduced in the manner that will make it of the greatest advantage. It appears to me that the introduction of the connecting link by means of *ex officio* members is to place it under the greatest possible disadvantage, because those members who are put on a footing of that kind will be or may be regarded by others on the County Council as suspected individuals—that they are introduced into a body by a method which is devised specially for them, and that they are not able to undergo the free election which the other members of the Council submit to. Besides that I think there is a real grievance that the members themselves are put under as regards the second election. It is all very well to say they can stand at the first election. The difficulty will certainly arise that the noble Earl has pointed out—if they stand at the first election they will certainly be told by anybody who opposes them that they have already got a seat and, therefore, need not be elected, and if they come forward at the next election they will have to look all round the country to find somebody whom it would be expedient for them to oust. I think this is one of those clauses in the Bill in which the Government, unfortunately, introduce a provision which is of very little value in itself, and must give rise to great inconvenience and dissatisfaction.

*LORD BALFOUR: I admit there is a certain amount of difference of opinion on the part of those who are supposed to be privileged by this clause; but, upon the whole, the balance of advantage is in favour of keeping the clause as it stands. The idea which has been put forward, both by the noble Lord who has last spoken and the noble Lord who moved to reject the clause, that at the second election persons privileged at the first election will have a difficulty in finding a seat, seems to me to be quite without foundation. It would be the case, perhaps, if you were bound to be elected only for the division of the county in which you reside; but for the purposes of county elections, provided you are registered as a county elector, you may stand for any division. To suppose that everybody who is in the first County Council will desire to stand for the second is, I think, obviously a mistake, and it will surely not be difficult for those of the nominated Councillors, who wish to go on to the second election, to to find one at least of the divisions in which there would be a retiring Councillor. I quite admit that a difference of opinion exists about this provision; it is a clause which has had a good deal of discussion both in Scotland and in "another place." It was challenged in

the other House of Parliament, and, on a division, it was resolved to be adhered to; therefore, upon the whole, I think it would be unwise to take the step of rejecting it at this stage, especially having regard to the fact that no previous notice has been given of the intention to move the rejection of it.

Clause agreed to.

Remaining clauses agreed to.

Report of Amendments to be received on Thursday next, and Bill to be printed as amended.

UNIVERSITIES (SCOTLAND) BILL
(No. 204.)

Order of the Day for the Second Reading read.

THE MARQUESS OF LOTHIAN: Considering the lateness of the hour and the amount of labour that we have gone through on a Scotch subject already, I would simply ask your Lordships' permission to read the Bill a second time, proposing on the Committee stage to make whatever statement may be necessary to commend the Bill to the House.

Bill read 2ª (according to order), and committed to a Committee of the whole House on Thursday next.

MERCHANT SHIPPING (TONNAGE) BILL (No. 174.)

Read 3ª (according to order), with the Amendments, and passed, and sent to the Commons.

COMPANIES CLAUSES CONSOLIDATION ACT, 1888, AMENDMENT BILL (No. 187.)

House in Committee (according to order); Bill reported, without Amendment; and to be read 3ª on Thursday next.

COURT OF SESSION AND BILL CHAMBER (SCOTLAND) CLERKS BILL.
(No. 152.)

House in Committee (on Re-commitment) (according to order); Bill Reported without Amendment; and to be read 3ª on Thursday next.

STATUTE LAW REVISION BILL (No. 186.)

House in Committee (according to order); Bill Reported without Amendment; and to be read 3ª on Thursday next.

PRINCE OF WALES' CHILDREN BILL.
(No. 212.)

SECOND READING.

Order of the Day for the Second Reading read.

THE MARQUESS OF SALISBURY: My Lords, when Her Majesty's gracious Message was sent to this House, informing this House of the projected marriage of the Prince of Wales's daughter with the then Earl of Fife, your Lordships passed an Address to Her Majesty expressing your congratulations, and your willingness to concur in any provision which might be necessary for the purpose of that marriage. This Bill is, in part, the fulfilment of that pledge. I need not describe its provisions; they are very well known. It provides that the sum of £36,000 shall be yearly paid in trust to his Royal Highness and two other Official Trustees, to be applied for the benefit of his children during the existing reign. By the custom of Parliament this House cannot alter the provisions thus made. If we were to alter them, it would be fatal to the Bill. Under those circumstances, and also in consideration of the lateness of the hour, I think I shall best consult the convenience of your Lordships by not making any further observations upon the motives or the character of the provisions made; but only express what I am sure is the feelings of all your Lordships —of our hearty good wishes for the illustrious individuals in reference to whom this provision has been made.

Moved, "That the Bill be now read 2ª."

EARL GRANVILLE: It is not necessary for me to add anything to the words which have fallen from the noble Marquess, who has correctly stated the answer of your Lordships to the gracious Message of Her Majesty. On that occasion I said that I anticipated that we should most cordially agree to any reasonable provision that was proposed by the Government and which received the sanction of the House of Commons It certainly would be very incongruous with that cordiality which I believe your Lordships all feel on the subject if I were to refer to any critical or controversial matters, or to any incidents which happened in the passing of this Bill. At the same time I should

like to allude to two facts which I am sure must be satisfactory to your Lordships. The first is—and, though I do not wish to exaggerate it, it is a fact of at all events very great negative importance—that the Queen and the Prince of Wales have during the present reign, unlike nearly all their predecessors, never come to Parliament with any applications for the payment of their debts. Further than that, I am sure your Lordships will agree in acknowledging the gracious assurance Her Majesty has given through Her Majesty's Government that she does not intend to apply to Parliament for any provision for the children of her other children except the Prince of Wales. I can only say that I and all my Friends entirely concur in the good wishes which the noble Marquess has expressed for the happiness of the couple who are now united.

THE MARQUESS OF SALISBURY: I only wish to remind the noble Earl that he has not quite correctly quoted the language in which the communication was made, "that Her Majesty did not press the claims of her other children." The matter is not of present importance; but I thought it desirable that the right words should be used. Further than that I do not think it necessary to add anything to the statement I have already made.

Bill read 2ª (according to order), and committed to a Committee of the Whole House on Thursday next.

House adjourned at Eleven o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 6th August, 1889.

QUESTIONS.

—o—

PLEURO-PNEUMONIA.

MAJOR RASCH (Essex, S.E.): I beg to ask the Vice Chamberlain, with reference to pleuro-pneumonia in South East Essex, why Foreign cattle landed at Thames Haven are allowed to be trained through the infected area at Tilbury for London, and English beasts are not permitted to be trained through the same area from Stamford for Gravesend; and, whether the Privy Council will consider the necessity of giving Local Authorities some jurisdiction in the matter of slaughter and otherwise?

THE VICE CHAMBERLAIN (Viscount LEWISHAM, Lewisham): There is nothing to prevent movement of animals through an infected area if they are not untrucked, otherwise they can only be moved out by license of the Local Authority. The inconvenience arises from Tilbury Station being included in the area, and if the Local Authority desires that it be excluded an application to that effect will be considered by the Privy Council. The Privy Council are not prepared to revoke the Order which requires the slaughter of animals that have been in contact with animals suffering from pleuro-pneumonia.

IRELAND—THE BALTINGLASS UNION

MR. BYRNE (Wicklow, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the half-yearly Report of Mr. Robinson, Local Government Board Inspector, dated 20th April 1888, on the Baltinglass Union, drawing attention to the engineer's Report on the defective drainage of the workhouse, pointing out that the health of the inmates demanded a prompt and immediate remedy; whether the Guardians are prepared to have this work done at once but, being without funds for this purpose, desire to borrow the money under the Public Health Act or Poor Relief Act; and, whether he will induce the Local Government Board to advance the requisite funds for this urgent outlay?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): My attention has been called to the Report of the Local Government Board Inspector, drawing attention to the defective drainage of the workhouse of the Baltinglass Union. The Board of Guardians are willing to borrow money to remedy the defects, and the Local Government Board are in communication with the Public Works Commissioners, with a view of ascertaining if a loan can be granted.

MR. BYRNE: May I ask the right hon. Gentleman whether he is in a position to state when the Land Commission will hold their next sitting in Baltinglass for the fixing of fair rents for Donard and other districts in West Wicklow?

MR. A. J. BALFOUR: The Land Commissioners report that a Sub-Commission is at present sitting in East Wicklow. It will continue its sitting after the Vacation, taking up the West Wicklow district in its turn; but it is not possible at present to give the exact date of the sitting.

THE SHANNON DRAINAGE WORKS.

MR. COX (Clare, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the fact that on Wednesday last, when Sir Thomas Brady and Mr. Hornsby, Inspectors of Fisheries, opened an inquiry at Athlone, by order of the Government, as to whether injury was likely to be done to the fishing interests of the Shannon by the drainage works now in progress, and intended to be carried out by the Irish Board of Works, several professional gentlemen, representing the various interests concerned, were present, at great expense, but that the inquiry had to be adjourned to the 3rd instant to Limerick in consequence of the non-attendance of Mr. Crosthwaite, the Board of Works representative; whether Sir Thomas Brady is correctly reported to have stated that "ample notice was given to the Board of Works. It is very extraordinary;" whether Mr. Hornsby stated—

"If the Board of Works had not common courtesy, they should, at all events, have acted with common sense; but they had shown neither the one nor the other;"

and, what action the Government intend taking in the matter?

MR. A. J. BALFOUR: This is a question which should be addressed to the Secretary to the Treasury. A similar question was on the Paper yesterday, and I have no doubt that it was answered.

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): Yes, Sir; I did answer the question yesterday.

MR. COX: Will the Report of the inquiry as to the injury likely to be done to the fishing interests of the Shannon by the drainage works be laid before the House before the money to provide the cost is voted?

MR. A. J. BALFOUR: The Government have no control over the inquiry, nor am I able to state the date when it will be concluded. It is, therefore, quite impossible for me to answer the question.

MR. COX: This is a Government inquiry.

MR. A. J. BALFOUR: All the Government had to do was to put it in motion.

SCOTLAND—MAIL ARRANGEMENTS.

MR. CALDWELL (Glasgow, St. Rollox): I beg to ask the Postmaster General whether in would be possible to arrange that the mails from Stornoway to the South should overtake the morning mail from Dingwall, instead of being delayed till the afternoon as at present?

*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): I quite agree with the hon. Member as to the obvious desirability of arranging a correspondence between the Southward Mail from Stornoway and the Morning Mail from Dingwall. But I understand that insuperable difficulties have hitherto interfered with an earlier despatch from Stornoway, and that the expense attendant upon a special service from Dingwall to overtake the Southern Mail at Inverness appears to be prohibitory. I will, however, gladly receive any further suggestions which may serve to facilitate a more convenient arrangement of the Mails.

THE VENEZUELA PANAMA GOLD MINE COMPANY.

MR. STAVELEY HILL (Staffordshire, Kingswinford): I beg to ask the Under Secretary of State for Foreign Affairs whether a Correspondence has taken place between a British Company called the Venezuela Panama Gold Mine Company, Limited, and the Government, with reference to the confiscation by the late President of Venezuela, Don Guzman Blanco, of their property in the Yuruari territory, now administered by Venezuela; and whether he has any objection to lay the Correspondence upon the Table of the House?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): Her Majesty's Government have been appealed to by the company on account of the cancelling of their concession, and an adverse judgment of the Venezuelan Courts; but they have not considered that a sufficient case is made out for their intervention. The matter is not one of such public importance as to justify the presentation of the Correspondence.

MR. S. HILL: Will the right hon. Gentleman allow me to see the correspondence?

*SIR J. FERGUSSON: Yes; I think there will be no objection.

CULTIVATION OF SUGAR IN JAMAICA

MR. ALFRED PEASE (York): I beg to ask the Under Secretary of State for the Colonies if he can give, with regard to the cultivation of sugar in the Island of Jamaica, the number of properties with under 10 acres, over 10 acres and under 50 acres, over 50 acres and under 100 acres, over 100 acres and under 200 acres, and over 200 acres in canes respectively?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (BARON H. DE WORMS, Liverpool, East Toxteth): From the latest Returns in the Secretary of State's possession, it appears that in 1886-7 there were in Jamaica 68 estates with more than 200 acres in cane; 77 estates with between 100 and 200; 27 estates with between 50 and 100; and 7 estates with between 10 and 50; but he has no information as to the number of properties with under 10 acres in cane cultivation. If the honourable Member thinks it worth while to pursue the question further, the Colonial Government will be requested to prepare a special Return.

THE ROMAN CATHOLIC SCHOOL AT BLANTYRE.

MR. PHILIPPS (Lanark, Mid): I beg to ask the Lord Advocate whether, with regard to certain charges made against the managers of St. Joseph's Roman Catholic School at Blantyre, of having diverted certain money derived from public grants to other than educational purposes, into which the Education Department held a thorough investigation, the result of their inquiry has been that the charges have been completely disproved?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): The charges brought against the managers of St. Joseph's Roman Catholic School related to the alleged incorrectness of the Returns of income and expenditure furnished by them. The matter was the subject of careful investigation, and the managers were asked to produce accounts and vouchers. The examination of these led to the conclusion that there was no case calling for their Lordships' further interference.

THE SHAH'S VISIT.

*MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Under Secretary of State for Foreign Affairs whether he will lay upon the Table of the House a detailed statement of the Supplementary Estimate of £7,650, being "expenses connected with the visit of His Majesty the Shah to this Country?"

*SIR J. FERGUSSON: The details are very simple. I stated on May 30 that Her Majesty would entertain the Shah during his residence at the Palace; but that there would be some provision necessary for the purposes of his visit. The sum asked for is limited to the travelling expenses in this country, including cost of special steamers from Gravesend to Westminister £2,665; hotel charges of suite, entertainments, carriage hire, and engagement of the necessary interpreters, £1,835; extra carriages and attendance in London, £2,000; travelling expenses of officers in attendance and other contingent expenses, £1,150. Total, £7,650.

IRELAND—SEIZURE FOR RENT.

MR. MAC NEILL (Donegal, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that at 4.15 A.M. on 29th July, a bailiff named Wales, assisted by police, forced open the door of Mr. Bernard Reynolds, one of the tenants on the Crocker Estate, in South Donegal, against whom a decree for rent had been obtained at the suit of the landlord, and that, having forced open the door, rushed into the house, and demanded from Mrs. Reynolds, who was only partially dressed, the keys of the outhouses in which the cattle, the sub-

jects of the proposed seizure for rent, were; and, on the keys being refused. the police and bailiff broke open the doors of the outhouses, and seized the cattle; and whether he will be able to say whether the police in thus assisting the bailiff were acting within their duty.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): My right hon. Friend the Chief Secretary, who is not at this moment in his place, has requested me to state that he has not yet received the necessary information to enable him to answer the question.

DISEASED CATTLE.

MR. O'KEEFFE (Limerick): I beg to ask the President of the Local Government Board if it is a fact that at the Liverpool abattoirs a fortnight since certain English dairy cows, although having passed the market inspector at Stanley Market, were, after being slaughtered, seized by the meat market inspector; if Irish cattle run a similar risk of being seized after sale and slaughter, although being certified as sound by veterinary surgeon inspectors at shipping ports and on their arrival in England; and, if such should arise, who will compensate the exporters for their losses?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I have been in communication with the Corporation of Liverpool on the subject of the question of the hon. Member, and I am informed that it is the fact that certain dairy cows from the Stanley Market were, after being slaughtered, seized by the meat inspector as being unfit for human food. The market inspector at Stanley Market examines for contagious diseases only under the Contagious Diseases (Animals) Acts, and the cows in question were not suffering from contagious disease, and consequently were not interfered with by the inspector at Stanley Market. Irish cattle run a similar risk of being seized after sale and slaughter if they are found to be unfit for human food and are exposed or deposited for sale. It is not the duty of the veterinary surgeon inspector to certify cattle as being sound; but he passes all that are free from contagious disease. Exporters receive no compensation for their loss when meat is condemned on the ground of its being unfit for human food. On the contrary, those who expose for sale for human food meat of this character are, under the Public Health Act, liable to heavy penalties.

BRITISH SUBJECTS IN EGYPT.

SIR WALTER FOSTER (Derbyshire, Ilkeston): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to a petition from certain British subjects complaining that they had been illegally confined in Egyptian Government gaols, under Egyptian officials, at Alexandria, instead of being placed in a British Consular prison; whether such complaint was well-founded; and, if so, whether the illegality complained of has been remedied; and, whether British subjects have been tried at Alexandria by juries of five, often not Englishmen, but Greeks and Levantines with British passports?

*SIR J. FERGUSSON: Such a petition has been received, and is now under inquiry; inquiry is also being made in regard to the constitution of juries.

DISABLING GUNS.

COLONEL NOLAN (Galway, N.): I beg to ask the Secretary of State for War if any experiments have been made to ascertain what is the smallest size of shot which will disable a 40 or 60-ton gun when the shot hits the large gun on the side of the latter?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The subject has engaged the serious attention of the Ordnance Select Committee, and experiments have been tried. But I am advised that in the interests of the public service it is not desirable to make public either the results or the opinion of the Committee.

COLONEL NOLAN: I will put a question to the First Lord of the Admiralty on the subject in reference to guns mounted *en barbette* in the Fleet.

MERCHANT SHIPPING (TONNAGE) BILL.

MR. SEXTON (Belfast, W.): I beg to ask the President of the Board of Trade whether the Board will frame rules for the direction of Surveyors of the Board in the discharge of their functions under the new Merchant Ship-

ping (Tonnage) Bill, especially with reference to the provisions of Section 2 in regard to overdeck light and air spaces?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir MICHAEL HICKS BEACH, Bristol, W.): Rules on this matter are in course of preparation, but of course cannot be issued until the Bill has become law.

MR. SEXTON: Will it be made public?

*SIR MICHAEL HICKS BEACH: Yes, Sir; I daresay they might be laid on the Table.

CONVEYANCE OF SCOTCH MAILS.

MR. FRASER-MACKINTOSH (Invernessshire): I beg to ask the Postmaster General what is the amount of postal subsidy granted to Mr. M'Brayne for conveying the mails by steamer to and from Strome Ferry and Stornoway; whether he is aware that, from the inefficiency of the steamer employed the connection with the railway to Strome Ferry is frequently lost and delays arise in reaching Stornoway, and that these delays have sometimes occurred from the steamer diverging from the direct route and proceeding to Portree to take up goods and passengers; and, whether, in these circumstances, if there be no fixed period of contract, he will consider the expediency of publicly inviting tenders for a direct and exclusive service between Strome Ferry and Stornoway?

*MR. RAIKES: The contract payment for the conveyance of the mails by steamer to and from Strome Ferry and Stornoway is £2,250 a year. I find, upon inquiry, that during the year ended the 27th ultimo the steamer lost the day mail train on 18 occasions. On nearly all of these occasions the failure was attributable to storm, and, having regard to the exposed nature of the passage, and to the fact that the service is performed at night, the explanation is, I think, sufficient. Mr. M'Brayne is a most competent contractor, and I do not see that any advantage to the Public Service would arise from terminating the present contract and publicly inviting tenders as the hon. Member suggests.

MR. CALDWELL: With reference to that answer, may I ask the right hon. Gentleman if he has considered the sufficiency of the vessel? ____

*MR. RAIKES: Representations as to the nature of the particular vessel have been made to the Post Office, and we think there is no reason to complain.

THE MAILS FROM INVERNESS.

MR. FRASER-MACKINTOSH: I beg to ask the Postmaster General whether he would state generally the data upon which the Department has come to the conclusion that a mid-day service, by steamer, of the mails from Inverness to Fort Augustus would, for the months of August and September, involve a loss to the Post Office of £250; and, if he would give the figures justifying the statement of the Department that the cost of the existing service is considerably in excess of the revenue derived from the correspondence?

*MR. RAIKES: The cost of maintaining the present Postal Service between Inverness and Fort Augustus and the neighbourhood is about £767 a year, as compared with an available revenue of about £525 a year, so that there is already a loss of about £242 a year. If the desired service from Inverness at mid-day during August and September were afforded, it would be necessary to make an additional payment of £200 to the proprietors of the steamer, and the Department itself would incur a further expenditure of about £50 a year. The loss would thus be augmented by £250 a year, and there would be no saviags to set against it.

CHRIST'S HOSPITAL.

MR. MUNDELLA (Sheffield, Brightside): I beg to ask the Vice President of the Committee of Council on Education whether any decision has been given by the Privy Council in the matter of Christ's Hospital; and what is the present position of the scheme of the Charity Commissioners relating thereto?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The appeals against the scheme for Christ's Hospital were heard by the Judicial Committee of the Privy Council towards the end of June. At the close of the hearing their Lordships reserved judgment, which has not yet been delivered. Further proceedings in regard to the scheme must await the delivery of that judgment.

POST OFFICE SORTERS.

MR. PICKERSGILL: I beg to ask the Postmaster General when he will be able to give a definite reply to the petition of the sorters employed on Sunday duty in the Circulation Department (Inland Branch), which was originally presented so long ago as 1884, and in respect of which he informed the Member for South West Bethnal Green, in June 1888, that "a decision would shortly be arrived at?"

*MR. RAIKES: The matter to which the hon. Member refers has been very fully examined by the Department, and I have now under consideration a proposal which I hope to be able to submit to the Treasury in a day or two.

THE WHITECHAPEL MURDER.

MR. PICKERSGILL: I beg to ask the Under Secretary of State for the Home Department whether it is correct that William Wallace Brodie, who was recently charged on his own confession with the Whitechapel murder, was, in May, 1887, sentenced to 14 years' penal servitude, and was, in August, 1888, discharged on license; and, if so, of what offence was he convicted, and why was he discharged?

*THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (MR. STUART WORTLEY, Sheffield, Hallam): William Brodie was convicted in May, 1877, not in 1887, of larceny in a dwelling-house and sentenced to 14 years' penal servitude. He was discharged on license in the ordinary course in August, 1888, after serving rather more than 11 years of his sentence.

FENIT PIER.

MR. MAHONY (Meath, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that in the instructions issued by the Lord Lieutenant to the cesspayers of the Baronies connected with the Fenit Pier Loan, and on faith of which the cesspayers gave a guarantee for £95,000, the following passage occurs:—

"No portion of it (the loan) can be expended on the present canal, or in payment of the balance of the canal debt due to the Public Works Loan Commissioners, or of the instalments of the present loan;"

but that, in spite of this passage in the instructions, £2,500 was paid to the National Bank in discharge of a debt due by the canal, £300 and £290 were paid to the Public Works Loan Commissioners in discharge of the debt due by the canal, and £3,192. 11s. 4d. was paid to the Irish Board of Works in discharge of the instalments on the Fenit Pier Loan referred to in the Lord Lieutenant's instructions as the present loan; whether interest has to be paid and capital repaid by the taxpayers as regards these sums, although these sums were paid by the Fenit Harbour Commissioners in direct contravention of the Lord Lieutenant's instructions, on the faith of which the taxpayers gave their guarantee; and, whether, if these facts be as stated, he will take steps to enforce the instructions of the Lord Lieutenant?

MR. A. J. BALFOUR: The instructions mentioned in the question were issued by the Lord Lieutenant. The payments enumerated were made from the loan of £95,000 by the Harbour Commissioners. They do not appear to have been justified in applying the capital funds to any of these purposes. It is right to add that it appears from a communication received from their Secretary that they only intended to advance the sums temporarily from the loan and that a portion of the item of £290 has already been paid by the canal funds. It also seems that when the Board of Works ascertained that the first five half-yearly instalments amounting to £3,192 11s. 4d. had been repaid to them out of the loan they took steps to remedy this action of the Harbour Commissioners by applying for a presentment for the amount. This application, however, was overruled by the Lord Chief Baron, whose decision was confirmed in the Court of Queen's Bench, whereby it was held that the Act 43 & 44 Vic. c. 14 guarded against the sums due by the Baronies being accumulated from one Assizes to another. I may mention that it would seem as regards this sum of £3,192 11s. 4d., that the Baronies are not at any actual loss by its payment from the loan, as had it been presented for at the Assizes from time to time as it accrued due, the Baronies would then have been obliged to have paid. The Government are considering the matter as to what steps, if any, they are in a position to take.

MR. MAHONY: Is the right hon. Gentleman aware that the pier has not been properly finished owing to the shortness of funds?

MR. A. J. BALFOUR: I am not aware of that fact. I understand the point to be that the Harbour Commissioners have paid interest out of capital and that a loss has thereby occurred. I do not know that that is so, but I think it is very probable.

MR. MAHONY: It is quite clear that interest has been wrongly paid out of capital, and, therefore, I will ask the right hon. Gentleman if he will take steps to obtain a Report upon the matter?

MR. A. J. BALFOUR: As I understand the matter, the Lord Lieutenant's instructions can only refer to the future, and not to any improper payments out of capital which may have been made previously.

MR. MAHONY: Were not the Lord Lieutenant's instructions issued prior to the guarantee of this loan—prior to the time when the taxpayers gave the guarantee? The taxpayers at a Baronial meeting, which was to a certain extent representative, gave the guarantee on the faith of the Lord Lieutenant's instructions. Where the taxpayers give a guarantee for the carrying out of public works under instructions issued by the Lord Lieutenant, is it to be the duty of the taxpayer to see that the instructions are carried out?

MR. A. J. BALFOUR: As I have said, I am not acquainted with the facts of the case, but anything the Government can do to remedy the evil they are prepared to do.

MR. E. HARRINGTON (Kerry, W.): As this is a question which affects my constituents may I ask whether it is not the fact that this Public Board excluded the Press from their deliberations?

MR. A. J. BALFOUR: It does not rest with the Lord Lieutenant to secure the admission of the Press to these meetings.

WESTERN AUSTRALIA.

MR. WILLIAM M'ARTHUR (Cornwall, Mid St. Austell): I beg to ask the Under Secretary of State for the Colonies whether it is true that in 1887 certain British pearlers, employing 87 vessels off the North-west Australian coast, petitioned the Secretary of State for the Colonies against the grant of responsible government to Western Australia without the recognition of their right to fish beyond the three-mile limit untaxed; whether protests have been lodged by the North-west Pearling Fleet, by the London Chamber of Commerce, and by the Chamber of Shipping against the Western Australia Pearl Fisheries Act passed by the Federal Council of Australia in February, 1889; whether representations have reached him that the principles introduced in this Act will infringe the main principles recognised by the Chamberlain Commission, and may tend to the transfer of the pearling fleet to a foreign flag; and whether the Secretary of State is willing to advise the Crown on this Act on its merits, and what action has been taken in the matter?

BARON H. DE WORMS: A petition to the effect stated by the hon. Member was received by the Secretary of State in October, 1887, and was referred for the consideration of the Government of Western Australia, and extracts from the Governor's reply were communicated to the parties interested in the Petition. Protests such as are described in the question were also received at the Colonial Office, in more than one of which attention was drawn to the injury which it was alleged must occur to Colonial pearl fishing vessels. The subject of this Reserved Bill has been carefully considered by Her Majesty's Government, who have been advised that it is within the powers conferred upon the Federal Council by the Federal Council of Australasia Act, 1885, and they have decided that they would not be justified in recommending Her Majesty to disallow the Bill.

IRELAND—EVICTIONS ON LORD CLANRICARDE'S ESTATE.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what particulars he can give of the recent evictions on Lord Clanricarde's estate in the Portumna district; whether any further evictions there are in contemplation; what offers of settlement, if any, were made on the part of the landlord and of the tenants respectively; and whether he will lay upon the Table a copy of any correspondence between any member or officer of the

Irish Government and any persons acting in the interest of the landlord, or of the tenants, with respect to this estate?

MR. A. J. BALFOUR: I am not in possession of information which will enable me to answer the question as to further evictions being in contemplation. I understand that a placard offering terms was put up in the district, and that the tenants evicted on June 19 were prepared to accept them if evicted tenants were reinstated. The placard is to the following effect:—

"As to tenants holding under £50 annual rent—(*a*) those paying the rent due up to November 1, 1888, to receive an abatement of 4s. in the £1 on all they owe; (*b*) those not paying up to November 1, 1888, an abatement of 3s. in the £1 on each whole year's rent paid. The cases of tenants holding over £50 annual rent and tenants in towns to be dealt with separately, and as the circumstances of each may require. From tenants who could reasonably satisfy the agent that they were unable to then pay more, half a year's rent would be accepted and fair time given to further reduce the debt. The foregoing abatements not to apply to judicial rents."

I am not aware of any correspondence which it would be proper to lay on the Table of the House.

MR. SHAW LEFEVRE (Bradford, Central): Have not a large number of persons been evicted, upon whose behalf more favourable terms than those which the agents have since expressed their willingness to accept, were offered?

MR. A. J. BALFOUR: I am aware that a large number of persons have been offered terms from time to time; but I cannot charge my memory with the fact whether they were in excess or less than those which have been recently offered. I will be glad to find out if I can.

MR. SEXTON: The right hon. Gentleman says he is not aware of any correspondence which he can lay upon the Table. Is it not the fact that the evictions upon the Portumna Estate of Lord Clanricarde have been restrained by means of a correspondence between the right hon. Gentleman himself, as the Head of the Executive in Ireland, and the agents of this estate?

MR. A. J. BALFOUR: I am not aware, speaking off-hand, that there is any correspondence of the kind alluded to by the right hon. Gentleman. But if there is, I still maintain that it comes under the same category.

MR. SHAW LEFEVRE: I received only to-day a letter from Bishop Healy, in which he stated that he intended his letters to the Chief Secretary to be made public.

*MR. SPEAKER: Order, order!

MR. SEXTON: I wish, if possible, to ascertain upon what principle the right hon. Gentleman maintains before this House that letters addressed to him as the working Head of the Executive in Ireland in regard to the enforcement of the law and of legal rights are to be withheld, if they are preserved in the official records?

MR. A. J. BALFOUR: It must rest in the discretion of the Head of the Department to publish the correspondence or not; but I entirely deny that the correspondence is official to which reference has been made.

POSTAL ARRANGEMENTS IN BELFAST.

MR. SEXTON: I beg to ask the Postmaster General whether he is aware that the inhabitants of a large and populous district of Belfast are subject to inconvenience and disadvantage by reason of the circumstance that the Falls Road Post Office, which is a receiving office for telegrams, is not a delivering office; and, whether he will constitute it a delivering office?

*MR. RAIKES: I am having inquiry made whether the Fall's Road Post Office can be constituted a Delivery Office for telegrams, and so soon as I receive the necessary Reports I will communicate with the hon. Member.

RAILWAY CLASSIFICATION.

SIR JOHN LUBBOCK (University of London): I beg to ask the President of the Board of Trade whether he is aware that in conferences between traders and railway managers (arranged in compliance with the Board of Trade Circular of 10th June last), the railway managers contended that the classification mentioned in the Act was a Parliamentary classification which could not be arranged as a working classification; that traders are of opinion that the classification can be compiled as a working classification; and that as a result of this difference of opinion the conferences between the leading groups of traders and the railway managers have proved abortive; and, whether he can take any

steps to secure that the Parliamentary classification of "The Railway and Canal Traffic Act, 1888," shall be adapted or compiled so as to serve as a working classification?

*SIR M. HICKS BEACH: The conferences referred to by the hon. Member have by no means proved abortive in all cases, but, on the contrary, in several instances have produced results apparently satisfactory to the traders. I am aware of the contention alluded to by the hon. Member which has been put forward by an important section of traders. But the contention appears to me to be based on a misapprehension. When the Parliamentary classification is fixed there will be nothing to prevent the Railway Companies, subject to the provisions of the law as regards undue preference, from charging a lower rate for any article or group of articles than the maximum rate authorised by Parliament, and if they choose to arrange to charge for any of the articles placed by Parliament in a certain class the rates authorised for a lower class, there is nothing to prevent them from doing so, nor is it in the interests of trade that they should be prevented from doing so. A letter embodying the views of the Department on this point will be shortly addressed to the traders, and so also will a circular announcing the procedure the Board of Trade will adopt at the hearing of objections, and the time when they will commence to hear objections.

EGYPT.

MR. GOURLEY (Sunderland): I beg to ask the First Lord of the Treasury whether Her Majesty's Government intend instructing the Government of Egypt to embrace the opportunity afforded by the success of General Grenfell against the Dervishes, of again obtaining access to the navigable waters of the Upper Nile and the Bahr Gazelle, by despatching a sufficient number of river fighting steamers during the rising of the Nile, for the purpose of obtaining and holding possession of Dongola and Berber, and thus retain the acknowledged strategical and commercial keys requisite for the safety of Egypt as well as the diminution of slavery?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The hon. Gentleman is under a misapprehension in addressing this question of whether we intend instructing the Government of Egypt to me. We cannot instruct the Egyptian Government as if it were a Department of the English Government. The policy of Her Majesty's Government remains the same as it has always been—that is, to maintain the engagements into which the country has entered.

RAILWAY REGULATIONS BILL.

MR. O'KEEFFE: I beg to ask the First Lord of the Treasury if it is the intention of the Government to extend the Railway Regulations (No. 2) Bill to Ireland?

*MR. W. H. SMITH: The Bill to which the hon. Gentleman refers will extend to the whole of the United Kingdom.

SLAVERY IN PEMBA AND ZANZIBAR.

SIR JOHN KENNAWAY (Devon, Honiton): I beg to ask the Under Secretary of State for Foreign Affairs whether the time has now arrived when Her Majesty's Government should urge upon the Sultan of Zanzibar to decree the abolition of domestic slavery in the islands of Pemba and Zanzibar?

*SIR J. FERGUSSON: It would be inconvenient, and would not conduce to the objects which my hon. Friend has in view, to make a declaration upon this matter, but the subject must in any case come under consideration in connection with the contemplated Conference upon the Slave Trade. Her Majesty's Government will neglect no opportunity of lessening both the area and the evils of slavery as far as their influence extends.

AID TO LOCAL RATES.

MR. ISAACS (Newington, Walworth): I beg to ask the President of the Local Government Board when the ratepayers of the Metropolis will receive the relief out of the Probate Duties and other sources of Imperial Revenue promised them in the Budget of the Chancellor of the Exchequer for the financial year 1888-9?

*MR. RITCHIE: Since the 27th of March last a sum of £127,620 has been paid to the Guardians of the Metropolitan unions and parishes in addition to the grants previously received by them. It is very difficult to arrive at

any accurate estimate of the amount which the Local Government Board will be in a position to pay to the London County Council out of the local taxation account in November next, but it will probably be about £120,000. It will be borne in mind that the sum payable to the London County Council prior to that date would be much larger were it not that the proportion of the cost of the Metropolitan Police, which was formerly paid out of the Parliamentary grant, is now paid out of the local taxation account and deducted from the sums payable to the London County Council.

IRELAND—FAIR RENTS.

MR. CAREW (Kildare, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can now state on what day he will introduce his proposed Bill for accelerating the fixing of fair rents in Ireland; and whether it is intended that the two lay Commissioners are to sit with the County Court Judge of the county as originally indicated?

MR. A. J. BALFOUR: The Bill to which the question of the hon. Gentleman refers is on the Paper for this evening.

INSPECTOR OF LUNACY.

DR. KENNY (Cork, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is a fact that one of the Inspectors of Lunatics in Ireland has tendered his resignation; whether any steps, and, if so, what, are being taken to deal with the vacancy thus created; and whether there is any truth in the report that it is in contemplation to appoint one of the Scotch Assistant Commissioners of Lunacy to an administrative position in the Irish Lunacy Service?

MR. A. J. BALFOUR: One of the Inspectors of Lunatics in Ireland has retired on superannuation. The question as to the necessity of filling the vacancy is under consideration. There is no foundation for the rumour that it is in contemplation to appoint one of the Scotch Assistant Commissioners of Lunacy to an administrative position in the Irish Lunacy Service.

GENERAL WILLIAM SANKEY.

DR. KENNY: I beg to ask the Secretary to the Treasury whether he has noticed in the list of shareholders of the "Land Corporation Company," published in the *Freeman* of 30th ultimo, the name of General William Sankey as a holder of 20 shares in said company; is he able to state whether the said General William Sankey is the same person as the General Sankey who is Chairman of the Board of Commissioners of Public Works in Ireland; and, whether it is in accordance with the rules of the Service that the Chairman of a Public Board, which has to discharge such important functions as those entrusted to the Board of Public Works in Ireland, should be a shareholder in a company with which the Board of Public Works has frequently to deal, and the chief objects of the said company being moreover mainly of a political character?

MR. JACKSON: There is no foundation whatever for the suggestion in the question. Any of the ordinary sources of information, such as *Whitaker's Almanack* or *Thom's Directory*, will show that the Chairman of the Board of Public Works is Lieutenant General R. H. Sankey, not General William Sankey. I am sure that the hon. Member will regret that he should have put the question.

DR. KENNY: I cast no reflection on General Sankey. I should be sorry to do so.

BRITISH GUIANA—CONSTITUTIONAL REFORM.

MR. WATT (Glasgow, Camlachie): I beg to ask the Under Secretary of State for the Colonies whether the Government have under consideration the question of conceding a measure of Constitutional Reform to the Colony of British Guiana, similar to that granted to other West Indian Colonies; and, whether he can state a date when he will probably be able to intimate to the Colony the decision of Her Majesty's Government on the subject?

BARON H. DE WORMS: Her Majesty's Government have under consideration the question of a reform of the Constitution of British Guiana, but cannot at present state when it will be possible to make any definite announcement on the subject.

BRITISH GUIANA AND BRAZIL.

MR. WATTS: I beg to ask the Under Secretary of State for Foreign Affairs whether negotiations are now in progress with the Empire of Brazil for the appointment of a Joint Commission of Delimitation to determine and fix a definite line of frontier between the Colony of British Guiana and the Empire of Brazil; and whether he can now give the House any information on the subject?

*SIR J. FERGUSSON: Proposals were made on the subject by the Brazilian Government some time ago and are still under discussion, but the matter is not in a position in which any further information can with advantage be given.

MR. CONYBEARE.

SIR W. FOSTER: I wish to ask the Chief Secretary for Ireland if he has received any Medical Report in reference to the health of the hon. Member for Camborne (Mr. Conybeare) in Derry Gaol?

MR. A. J. BALFOUR: I have not received any Medical Report absolutely up to date; but subsequent to the time of the first question on the subject by the hon. Gentleman the Reports are satisfactory.

MR. MAC NEILL: I understood that on Saturday last the hon. Member for Camborne wished to send me a Report which I have not yet received. Can the right hon. Gentleman say whether it will be forwarded before the Prisons Vote comes on?

MR. A. J. BALFOUR: I cannot make any promise of that kind, not knowing how far Medical Reports are allowed by the Prison Rules to be sent to private Members.

MR. MAC NEILL: This is not a Medical Report, but a Report framed by the hon. Member himself.

PUBLIC BUSINESS.

MR. S. HILL: May I ask when the Tithes Bill will be taken?

*MR. W. H. SMITH: The Tithes Rent Charge Bill stands on the Paper for Thursday. If it is not reached on that day, I will inform my hon. Friend when it is likely to be taken.

MR. S. HILL: At what time will it be taken on Thursday?

*MR. W. H. SMITH: We shall take it at any time.

In reply to Mr. SHAW LEFEVRE,

*MR. W. H. SMITH said: We propose to take the Constabulary Vote to-night, and then to go back to the Irish Estimates in Class 2 in the order in which they stand. I think the first is the Vote for the Lord Lieutenant. If the Irish Estimates are not concluded on Thursday, they will be proceeded with *de die in diem*, and after they are disposed of the Tithes Bill will be taken.

MR. STOREY (Sunderland): What do the Government propose to do with the Drainage Bills?

MR. A. J. BALFOUR: I hope to pass the Bann Drainage Bill this Session. I also hope to pass the Shannon and Barrow Bills, but will be guided by circumstances.

MR. STOREY: I am quite aware that the Shannon and Barrow Drainage Bills must go over until next Session; but I wish further to press my question respecting the Bann Drainage Bill. The Bill has several stages yet to pass through. I would remind the right hon. Gentleman that there is a possibility of prolonged opposition from English and Scotch Members, and opposition, too, from the localities. Under the circumstances, I would like to know whether he will not commit the "happy dispatch" and tell us that the Bann Drainage Bill is also to go?

MR. A. J. BALFOUR: I will give the hon. Gentleman an undertaking that the Bann Drainage Bill will be taken after the Light Railways Bills. As to the Shannon and Barrow Bills they will have to be dropped.

MR. CAUSTON (Southwark, W.): Is it intended to take the London County Council (Money) Bill to-night?

*MR. W. H. SMITH: No, Sir; it will not be taken to-night.

SIR W. FOSTER: Will the Notification of Infectious Diseases Bill be the first Order on Friday?

*MR. W. H. SMITH: I cannot undertake to make it the first Order. The Government must at this period of the Session take the business that remains to be considered when they are able to reach it.

IRISH RESIDENT MAGISTRATES.

MR. FLYNN: May I ask the Chief Secretary if it will be convenient to take No. 4 of the Notices of Motion—a Return giving the names of the Resident Magistrates with the dates of their appointment by seniority, present salary, and other particulars, as an unopposed Return?

MR. A. J. BALFOUR: I am unable at present to treat it as an unopposed Return. A very comprehensive Return is already before the House.

MR. SEXTON: Is the right hon. Gentleman aware that in the case of certain Magistrates it is alleged that the principle of seniority has been violated? This Return is, therefore, asked for to enable us to judge how far that principle has been violated.

MR. A. J. BALFOUR: I do not admit that the principle of seniority is at all binding.

MR. SEXTON: I suppose the right hon. Gentleman will admit that promotion by seniority ought to be the principle except in the case of special merit. We ask for the Return, so that we may be enabled to see whether, where seniority was disregarded, there was good cause.

MR. A. J. BALFOUR: I do not go to the same extent as the right hon. Gentleman. I quite admit that seniority is an element; but I do not go further.

MR. FLYNN: Is it not the fact that former Returns were given very much in this shape showing the seniority, and that it is only recently the rule has been changed?

MR. A. J. BALFOUR: I am not aware that Returns have been given in conformity to the description given by the hon. Gentleman.

UNIVERSITIES, &c. (SCOTLAND) PUBLIC MONEY.

Ordered—

"Returns of the sums annually voted by Parliament, and of the sums chargeable on the Consolidated Fund, to each of the four Universities of Scotland, and to the Royal Observatory and Royal Botanic Gardens at Edinburgh, for each of the ten years ending the 31st day of March 1889;

Of the sums chargeable as pensions to the retired Professors of each of the four Universities for the same period;

Of the sums spent for the erection or maintenance of University Buildings for the same period;

And separately, of the sums paid to the Professors of the several Universities from the funds of the Deanery of the Chapel Royal in Scotland during the same period (in continuation of Parliamentary Paper, No. 263, of Session 1887."—(*Mr. J. Campbell.*)

UNIVERSITY (SCOTLAND).

Ordered—

Return of Rules made under Sec. 21 of the Act 21 and 22 Vic. c. 83, now in force, with respect to the amount of the Pensions from public funds that may be awarded to Principals, Professors, and other officers (if any) of Scottish Universities, the age at which they may be claimed, and the period of service which must have preceded each claim.

Nominal Return of Principals, Professors, and other officers (if any) in each of the Scottish Universities entitled, after the required period of service, to retire upon Pensions, with their respective ages, dates of appointment, and the amount, for each of the three years ended the 31th day of March, 1889, of the salaries, fees, and other emoluments which would be taken into account in determining the amount of pension that might be granted in each case.

And, Return showing, for each of the Universities, the Name and Office of each Person to whom a Pension has been granted from public funds since 1858, with the amount of each Pension, the age at which it was granted, and the date at which any Pension lapsed (in continuation of Parliamentary Paper, No. 245, of Session 1887).—(*Mr. J. Campbell.*)

FRIENDLY SOCIETIES ACT, 1875.

Report from the Select Committee, with Minutes of Evidence and Appendix, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 304.]

NEW WRIT.

For Belfast (Northern Division), in the room of Sir William Ewart, baronet, deceased.

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES.

Considered in Committee.

(In the Committee.)

CLASS III.

Motion made, and Question proposed,

"That a sum, not exceeding £889,371, be granted to Her Majesty, to complete the sum necessary to defray the charge which will come in course of payment during the year ending on the 31st day of March 1890, for the expenses of the Royal Irish Constabulary."

*MR. FLYNN (Cork, N.): I think the Irish Members are entitled to complain

that the Government should have introduced so important a Vote at so late a period of the Session. It is an innovation of the Constitutional system, and of late years it has tended to become more and more the practice of the Irish Executive, and of those connected with the administration of Irish affairs. More than one half of the financial year has now been allowed to lapse, and I presume I am right in concluding that more than one half of the money asked for in the vote has been expended. We are asked to criticise the administration of affairs for which the money is required at a time of the Session when the energies of hon. Members are supposed to be more or less dissipated. It may have been possible on other occasions for the Chief Secretary to tell us that the delay has occurred in order to consult the convenience of the Irish Members; but that has certainly not been the case this Session, because there has been a strong wish that the Irish Votes should be taken at an early period, in accordance with Constitutional practice and the usage of this House, so that the Estimates might be criticised in the way they deserve to be criticised. In regard to the present Vote, the first thing that will strike those hon. Members who are interested in economy is the continuous increase of the sum of money asked for under this head. I find that in 1871 the Constabulary Vote, including that for the Dublin Metropolitan Police, came to a total of £1,016,000, and this year we are asked to vote the enormous sum of £1,587,995, being an increase of 40 per cent. These are startling figures, which ought to make the Committee reflect on the vice of a system which necessitates an increase so enormous and lamentable. In 1875 the Vote rose to £1,208,000; in 1881 to £1,327,000; in 1885, £1,525,000; and in the present year it has practically reached £1,600,000. As a matter of fact, the amount per head of the population of Ireland has very nearly doubled in 17 years. In 1871 it was 3s. 9d. per head, and it is now 6s. 8d. That significant fact is in itself an eloquent commentary on the whole system under which it becomes necessary that so large a sum of money should be raised under this Vote. Comparing these figures with the cost of the police in Great Britain, it will be found that in Sunderland it is 1s. 5d. per head; Leicester, 1s. 9¼d.; Dundee, 1s. 11d.; Bradford, 2s. 1d.; Leeds, 2s. 3d., and Birmingham, 2s. 4d. The average cost of the police in the Dublin Metropolitan District is 8s. per head, or more than four times as much as that of principal centres of population in England. These facts are startling in their significance, and ought to invite the serious consideration of every Member of this House who is interested in keeping down the expenditure of the country. But this expenditure, enormous as it is, would not be objected to if it were productive of good to the people in whose behalf it is expended, but not alone is the system bad, but the administration of the system is as bad as it can possibly be. Indeed, that is the reason why the Vote increases so rapidly. The chief duties of a well-organised Constabulary Force are the protection of life and property and the preservation of order. But we maintain that the Irish police are largely employed in propping up the property of a small fraction of the population to the destruction of that of the toiling hundreds of thousands, who form the real buttresses of the prosperity of Ireland. We further complain that the bulk of the money, instead of being expended in the preservation of order in Ireland, is expended in a manner that is provocative of the greatest disorder. The cases which I am about to bring before the Committee I have taken at random, but they go far to proving beyond a doubt that the manner in which the Irish police force is at present administered does not tend to good Government or to the tranquillity of the country. We are informed by the newspapers that not long ago in the County of Tipperary a policeman was brought before County Court Judge Anderson, charged with a wanton assault. It appears that the prosecutor went to the railway station to meet a friend, and seeing that Dr. Tanner was in the train he had the temerity to cry out "Three cheers for the hon. and gallant Member for Mid Cork," whereupon the police-constable James Rippon struck him on the head with his truncheon. The jury found for the prosecutor, with £5 damages and costs. In this case the prosecutor was able to bring the case before a jury and recover damages because he could identify his

aggressor, and there would be hundreds of similar cases brought before juries if it were not part of the tactics of the Chief Secretary to extend the protection of the Executive to the police in matters of this kind where savage assaults are committed by the police upon an unoffending people. Every application to obtain the name of the policeman by whom an assault has been committed is refused. If the application is made in this House it is met with equivocation and prevarication, and it is impossible to obtain the name of the constable who, as a general rule, has been drafted from some distant place. That is the reason why we have been able to bring comparatively few cases before the Civil Tribunals to expose the proceedings of the constabulary in the way they deserve. I will tell the House as briefly as possible what occurred on the occasion of the brutal assault by the police on my hon. Friend the Member for North Monaghan (Mr. Patrick O'Brien). The hon. Member for North-East Cork (Mr. William O'Brien) was returning from a journey, and the hon. Member for North Monaghan went to the railway platform with some friends and some ladies to meet him. There were comparatively few persons on the platform, because the fact of the return of the hon. Member for North-East Cork had been purposely concealed in order to preclude the possibility of an attack upon the people. The police on the platform placed the hon. Member for North-East Cork under arrest. Mr. O'Brien asked for the production of the warrant, and while the warrant was being produced some enthusiastic gentleman in the rear of the crowd cried out "Three cheers for William O'Brien." An order was immediately given to the police to "Draw batons," which caused them to commit a furious assault upon the bystanders with truncheons and clubbed rifles, not only upon the people assembled on the platform, but on the passengers. Various persons present, including many clergymen, affirmed that the hon. Member for North Monaghan was beaten with truncheons on the back and head and knocked to the ground, and struck while on the ground by some policemen with their clubbed rifles. He tried to rise, with blood pouring from two or three wounds, but was knocked senseless on the pavement, when some police bore him off in a cab to a doctor. I have evidence, and I can substantiate it on oath, that the attack on my hon. Friend was premeditated, that before the train arrived he was pointed out by two or three constables, as was also the gentlemen who accompanied him, and the moment the train arrived the assault was made. The reason is believed to be that the hon. Member had been successful that day in holding a series of meetings in defiance of an illegal proclamation which had been issued suppressing meetings near Cork. We asked in this House for an explanation of the assault, and we received two —one by the Chief Secretary, and the other by the Solicitor General for Ireland. The latter dismissed the suggestion that there had been an attempted rescue of the hon. Member for North-East Cork as an utterly absurd and baseless fiction of the right hon. Gentleman's creation, or of that of his subordinates in Ireland, while the Chief Secretary, not knowing what had been said, deliberately suggested, with the airy nonchalance which we all admire, but which is hardly consistent with the grave duties he has to discharge, an attempted rescue as the cause of the disturbance. I hope the right hon. Gentleman will give a fair, straightforward, and honourable answer to this question. Will he assist us by giving the name of the head constable who gave the order to draw batons, the result of which was the wanton assault upon my hon. Friend which I have described. The right hon. Gentleman has already said that the Inspector gave no order, but that the head constable said, "Draw batons." I am not very well versed in the regulations of the Constabulary, and I should like to know whether an order to draw batons is sufficient to justify a brutal attack of this kind? Let us know who gave the order, and we will test once for all before an impartial tribunal the responsibility of the action of the police on this occasion. The nature of the attack can be proved by the results which followed. 14 or 15 persons were taken to the infirmary more or less injured, and the indiscriminate nature of the assault may be seen from the fact that a number of the passengers who were injured were gentlemen opposed to the Nationalist Party, among them being a

son of Sir John Arnott, of Cork, who was returning from a fishing excursion, and the Mayor's sergeant, who went down to the station to meet his wife on her return from a trip into the country. While the hon. Member for North-East Cork was under arrest the train arrived at Charleville, at 12 o'clock at night. A small crowd of persons were on the platform to meet friends returning from Cork, and when it was found that Mr. O'Brien was in the train, some cheers were raised and an attempt was made to shake hands with him. As the train was in motion, a shot was fired by District Inspector Concannon, and two other shots were fired by constables. Had any one been killed by those shots there can be no doubt that it would have been wanton and unprovoked murder on the part of the police. District Inspector Concannon's shot took effect in the thigh of a young man who was sitting on a wall at some distance from the train, and had it proved fatal all the sophistry of the Chief Secretary would be insufficient to clear the police from the dreadful charge of deliberate murder. In reference to this matter the Chief Secretary appears to have discovered for himself, or to have adopted the most extraordinary theory, that shots were fired by the crowd upon the police. In the first place, the police were in an ordinary train returning from Cork, and there were very few people assembled at the Charleville Station, as I can prove if the right hon. Gentleman will afford me the chance of an inquiry. There were none of the local police on the platform, which is hardly consistent with the fact that a criminal so notorious and so dreaded as my hon. Friend the Member for North-East Cork was known to be in the train. In the second place, the railway station of which I speak is 40 miles distant from Cork. It was a Sunday, and there was no possibility of communicating with the town of Charleville after 10 o'clock in the morning. The crowd who were awaiting the return of their friends heard that the hon. Member for North-East Cork was in the train; they cheered him, and attempted to shake hands with him, and thereupon the constables, headed by their District Inspector, fired three revolver shots. Such grave circumstances demand some more satisfactory explanation from the right hon. Gentleman than that he has yet given. Passing from this matter I come to the question of the employment of the Constabulary at evictions in Ireland. I do not believe there can be two opinions in the House that the real cause, or at any rate one of the principal causes, of the enormous and continuous increase in the Constabulary Vote is the manner in which the police are placed at the disposal of every landlord and County Sheriff who requires them. I do not contend that the Constabulary cannot be called upon or cannot be employed by the Executive in the enforcement of law, and the carrying out of evictions; but I maintain it is an absolute misuse of an expensive force of this kind to place them solely at the beck and call of one particular set of creditors in Ireland. It is a matter of some difficulty for the ordinary creditor to get the Sheriff to move at all; but these extraordinary, these unjust debts, take the first place in the estimation of the Executive, because the landlords are their friends, and because in collecting rents they are carrying out the policy which recommends itself to individual members of the Executive. Why, in the name of common sense, should a body of able-bodied constables be placed at the disposal of any body of creditors in a different manner to that in which they are placed at the disposal of ordinary creditors? Some of the evictions in Ireland are carried out, if not under the immediate presence, at any rate under the patronage of the right hon. Gentleman. It is, no doubt, an instructive lesson in law and order to see the Constabulary sitting down near the homes of the wretched people being evicted drinking champagne with the Private Secretary and Colleague of the Chief Secretary. What lesson can the people draw from that? Does it tend to give them any belief in the impartiality of the Irish Government? With regard to the actual presence of police at these evictions, I want to ask the attention of the Committee to one or two instances as showing a close connection between the landlord, the heads of the Irish Executive, and the principal officers of the Irish Constabulary. The Luggacurran evictions were carried out under the immediate patronage of the right hon. Gentleman. There we had the landlords' figures as to acreage, rent, valuation, and arrears, in

the hands of whom? In the hands of the private secretary of the Divisional Magistrate in charge of the police, the private secretary himself being an officer in the Constabulary. It seems an extraordinary thing that when reporters came down they should, instead of proceeding to the tenant's or the landlord's agents for information, proceed to the private secretary of the Divisional Magistrate, who had obtained his information in the landlord's office. Is that part of the business of the Executive of the country? What business had the private secretary there at all? When he was giving the figures to the reporters around him he used a formula which is very instructive. He said, the tenant need not be evicted if he paid so much. I asked him, "But would that clear the tenant up to the present date, or to the last gale day." His reply was, "Oh, no, if the tenant paid so much he would get a clear receipt up to September, 1886," nearly three years ago. The business of the private secretary or District Inspector was simply to mislead the representatives of the Press present. There are other matters in connection with the presence of police at evictions to be referred to. I have said that evictions are distressing and saddening spectacles. It does seem extraordinary that large sums paid by the taxpayers of Great Britain should be expended upon work of this kind. The right hon. Gentleman says it is unavoidable. He attributes these evictions to the Plan of Campaign. We shall discuss that point on another occasion. But at the Ponsonby evictions there was a force of Constabulary of between 300 and 400, supplemented by a large number of soldiers, all under the charge and command of the notorious Divisional Magistrate, Captain Plunket. Have hon. Members seen the secret letter—secret because it was not intended to be known to us—written by the agent of the estate, in which he practically acknowledged that the landlord's claims were unjust and extortionate, that the tenants' claims were less than just? The letter was written by Mr. Townshend to the Secretary of the Land Corporation, and the writer said—

"From what I have seen of the Ponsonby Estate, I am sorry to say I believe the Land Commission, if it ever goes before it, will reduce the rents on it very heavily. . . . The existing rents of light tillage land, which might have been fair 15 or 20 years ago, are far above the present value. A good deal of the land I saw I was told was rented at 20s., but it will go under the Land Court at 12s. or 13s., and that is the reason I advised Mr. Smith Barry and the other members of the syndicate to make public as soon as possible that they are only fighting against the way in which the tenants want to cut the rents down."

I invite the attention of the Committee to the fact that the hon. Member for South Huntingdon (Mr. Smith Barry) can put pressure on the Irish Executive to bring enormous forces of constabulary upon the scene to evict, under circumstances of great brutality and hardship, large numbers of industrious tenants, when all the time the injustice and the iniquity of the whole transaction is actually acknowledged by this letter to the agent of the syndicate, whom the Chief Secretary has not scrupled to defend in this House on more than one occasion. All these are circumstances which ought to cause the Committee to pause before voting the enormous sum of close on £1,600,000 for a force which is absolutely exasperating the people of Ireland, which is so expensive to the people of England, which is not productive of any solid or useful benefit to the country, and which, instead of being used legitimately for the protection of life and property and the preservation of order, is being used as a political machine by the Executive and the landlords of Ireland, and is producing an amount of disorder it would be impossible to counteract, were it not for the help and exhortation which comes from quarters in Great Britain to which the Irish people look with confidence.

Mr. MAC NEILL (Donegal, S.): Since the Chief Secretary accepted his present post the Irish administration has been characterised by overwhelming cruelty, and the right hon. Gentleman's chief agents in carrying out the policy of cruelty have been the Royal Irish Constabulary. It is, no doubt, difficult for English Members to understand what the Royal Irish Constabulary means. In England the constable is the person to whom the people go for protection and support, but in Ireland he is a member of a foreign force engaged in carrying out a policy antagonistic to the wishes of the people. The Irish police are a military force. They have officers and

military accoutrements and rifles. They only lack colours to complete their military character. I would recommend the right hon. Gentleman to signalise his administration by presenting the force with colours, upon which "Do not hesitate to shoot the people" would be a very fitting motto. This order was the first command given under the right hon. Gentleman's administration to the members of the Irish Constabulary. It was telegraphed by Captain Plunket, and that telegram was the initiation of the policy which has characterised the Chief Secretary's three years' administration. I invite the Committee to consider that during the last 10 years there has been a decrease in the population of Ireland to the extent of half a million, while on the other hand there has been an increase of the constabulary by 2,000 men. In no other country with which I am acquainted has there been a steady decline of population, and at the same time a steady increase in the armed men engaged to keep the population down. The cost of the constabulary during the last decade has risen from £1,400,000 to £1,600,000. There is in Ireland at the present moment, including police and military, one armed man to every 17 of the population, not to every 17 fighting men, but to every 17 men, women and children. I submit the reason of this is, that the police are not employed as a protecting force, that they are not employed to enforce just debts between man and man, but that they are employed for the partisan purposes of the Government. I desire to direct attention to three phases of constabulary government in Ireland—namely, to the relation between the Irish Constabulary and the people at large, the relation between the Irish Constabulary and a newspaper called the *Times*, and the relation between the Irish Constabulary and the landlord class in Ireland. My hon. Friend (Mr. Flynn) has not cited a single case of police brutality towards the people. It will be remembered that the hon. Member for the Holmfirth Division (Mr. H. Wilson) and I have frequently asked the Chief Secretary and the Solicitor General for Ireland that the Irish Constabulary should be numbered or lettered for the purpose of identification. The Irish police are clothed in the same uniform as the Rifles, and we all know that as the Rifles are used largely for skirmishing their uniform has been adopted in the hope of avoiding detection. Let me give several cases in which the police have acted brutally, and refused to give their names. I find that an aggravated and brutal assault was committed by the Irish police at the Clonmel Railway Station—railway stations seem to be the happy hunting grounds of Irish constables. On the 3rd of March, when Dr. Tanner arrived at Clonmel Station he was cheered by the people. There was the usual baton charge by the police. A reporter from Tipperary was grossly maltreated by a constable, who politely refused to give his name. On the 4th of May, at Kanturk, a Poor Law Guardian was assaulted by a sub-constable. The head-constable, with whom complaint as to the assault was lodged, refused to give the offender's name. At Fermoy the police burst into a meeting which was attended by a Mr. Barry, who had been imprisoned under the Coercion Act, inquired what the people were doing, assaulted men, and refused to give their names. Early in February a crowd in Killarney was dispersed by a baton charge, offence cheering Mr. William O'Brien. On the 23rd of March, at the same place, a crowd was batoned, offence cheering Mr. William O'Brien. The Committee will remember that Mr. Patrick O'Brien was recently assaulted so brutally that for some days his life was in danger, and that even now—a month after the occurrence—he is unable to appear in Court to give evidence in a case vitally concerning himself, and which arose out of one of the numerous libels of the *Times'* correspondent. A lady, the wife of an English Member of Parliament, desired to attend the meeting at which Mr. Patrick O'Brien was assaulted. Knowing the eagerness of the police to baton and assault I dissuaded the lady from attending the meeting. I feared that if she attended she would be maltreated by the police, who would probably think that an easy way to earn promotion would be to assault the wife of a Member of this House. The police in Ireland are adepts at creating offences. In proof of that charge I need only refer to the notorious Milltownmalbay case. The parish priest of that place having requested the publicans to close their houses on the occasion of a particular trial of an exciting

character, his sole object being to prevent the least disturbance of the peace, the police visited 26 of the closed establishments, though they were not in want of refreshments, and asked for drink. The drink was refused them. Twenty-one of the publicans were summoned before a Coercion Court and sentenced to one month's imprisonment apiece. Eleven did not apologise—I wish they had all refused to do so—but suffered imprisonment. The conduct of the constables must be very bad to provoke the indignation of the right hon. Gentleman's "removables," and yet they have often drawn on themselves the censure of these not over scrupulous gentlemen. In the Court-house at Letterkenny on the occasion of one of the numerous remands of Father M'Fadden, a constable named Boyle was seen earmarking the prisoners for another constable to identify. The man was ordered out of Court by Mr. Hamilton, but was afterwards seen sneaking back again for the purpose of carrying on the same operation. Another constable on the occasion of one of the numerous remands of Father M'Fadden was removed from the Court in a state of intoxication. I will not say anything about the note-taking Constable Robinson, who was declared by the Presiding Magistrate to be untrustworthy. The Committee may ask itself why constables like this man Robinson take notes which cannot be relied on. The answer is, because it is better for an Irish constable to convict an Irish Member of Parliament than it is for a military man to get the Victoria Cross. Such is their anxiety to get hold of Irish Members that they have been known after molesting a gentleman to apologise and say, "I beg pardon, but you have a tall hat on, and I thought you were a Member of Parliament." The dealings of the police with Roman Catholic priests, to whose good work in Ireland I can testify, although I kneel at a different altar to them, has been marked by insult and brutality. Father Clarke, of Wicklow, who advised the tenants in regard to the Plan of Campaign, had a warrant out against him; and, though he made it known that he was perfectly prepared to meet it, the police broke into his house to serve the warrant at a little before 4 o'clock in the morning, when he was absent, and terrified some of the female servants by rushing into their room. In another case the police went at midnight to arrest a priest who had previously stated his readiness to meet the warrant taken out against him, the object of such proceeding being obviously to terrorise the people. The same thing also was done in another case, the warrant having been in abeyance for five weeks, and the arrest being at last made at midnight. To be persecuted by the Government is a great honour to us, the Irish Members, and by trying to degrade us you only exalt us; and the same may be said of the Irish priests, for whom you simply inspire greater reverence by your action. I will not refer in detail to the death of District Inspector Martin, which took place on Sunday, February 3. I will merely say that on Saturday evening, February 2, the Chief Secretary for Ireland, in that speech which we will take care shall never be forgotten while the right hon. Gentleman remains in his present office, and which was addressed to the Liberal Unionists of Dublin, who were ashamed to give their names as being present—in that speech, delivered in absolute unconsciousness of the irony of the situation, the right hon. Gentleman congratulated the miserable toadies and place-hunters who surrounded him on the excellent relations existing between the police and the people. That speech was reported in the newspapers on the Monday morning, and side by side with the report was an account of the death of Inspector Martin. It is a small thing, no doubt, but a straw shows which way the wind blows; and this set the Government are making against priests and Members of Parliament is a straw in the present situation. At the last Spring Assizes, at the Court-house of Tralee, an over-zealous constable seeing a Roman Catholic priest listening to the trial went up to him and hustled him out of Court. This peccadillo on the part of the constable was admitted by the Solicitor General for Ireland when questioned about the incident. The hon. and learned Gentleman admitted it, and said it was an error of judgment; but I regard these things as not so much errors of judgment as errors of heart, and I say they arise through the systematic attitude of the Government towards the Irish people. With regard to the seat of war in

Donegal—and I think the use of the phrase "seat of war" is permissible—on the 6th of May the right hon. Gentleman in a moment of candour spoke of County Donegal as being in a state of revolution; but when this expression was afterwards commented upon the right hon. Gentleman said that that state of revolution extended only to one barony. Well, I have often heard of a storm in a tea-cup, but never before of a revolution in a barony. What was the state of Donegal before the right hon. Gentleman's administration? Why that county which now, according to the Chief Secretary, is in a confused and disturbed state was the most peaceful district. I do not know if hon. Members have ever been in a country in armed occupation. If they have not they will hardly understand the state of things which has existed in the County of Donegal—a state of things which one could understand in Russia, but which within the Queen's dominions it is impossible to understand. After the death of Inspector Martin wholesale arrests were made without warrant and without evidence, and passes were given to the peasants to allow them to go to their duties. Constable Mahony—now Head Constable Mahony, for every policeman in Ireland who distinguishes himself by his brutality to the people gets promoted—gave this pass which I now hold in my hand to a peasant, "Please let so-and-so pass," and it is signed by this man. There were wholesale arrests made after the murder of Inspector Martin, none of them, however, on sworn information or warrant. In one case a large number were handcuffed and kept for four hours in an open boat on an angry sea. Is it not amazing that in a country calling itself Christian such brutality should be allowed? I can assure hon. Gentlemen opposite that they will here more of this at the next Election—you will have it ingrained into every one of you. In Father M'Fadden's case, in which there were no fewer than 14 different remands, a special train was employed on the occasion of each remand to run from Letterkenny to Derry, a distance of 25 miles, when an ordinary train would have answered every purpose. There was frequent and easy communication between these places without the employment of a special train, and it cannot be said that the police were afraid of a popular tumult breaking out. I travelled in the special train myself—although if I had been found out I might have got a month's imprisonment at the hands of one of the removables—but this enables me to say how needless was the expenditure. There has been a reckless, wicked, and profligate expenditure on the part of the Administration; and I ask—will the right hon. Gentleman justify that expenditure out of the Constabulary Vote? As to the spying operations of the police the Irish Members do not mind it, but it comes somewhat hard on English Members like the hon. Member for the Holmfirth Division. That hon. Member went to Ireland to inquire into the unfortunate state of the people on March 16. He was dogged and followed by the constables from one end of Donegal to the other. He could not go into an hotel without being immediately followed there by a policeman, who tried to find out what he was doing, and where he was going. The carmen who drove him were stopped and interrogated. In one case a tourist who had gone over to see the country went to a Chief Inspector and said it was hard to be pursued by the police, and the answer he received was, "You are a respectable person—we will not mind you. It is only Members of Parliament we watch." One person—a Member of Parliament—however, was allowed to go from one end of Donegal to the other without being dogged, and that was because he was the friend of the right hon. Gentleman the Chief Secretary. It is only those Members who have the interests of the peasantry at heart who are insulted; the friends of the Chief Secretary and writers in the *Times* being allowed to wander where they like without being watched. In Donegal the police are quite numerous enough to prevent evicted tenants from returning to their wretched hovels; but they cannot protect the tenants from the robberies of the military. I would here instance again the case of the poor woman whose eight ducks were stolen by the soldiers, and I am surprised that I do not hear the cackle from the hon. Member for South Tyrone with which he greeted the case when it was first mentioned. In another case a girl was brutally assaulted by an Emergency man in the presence of Mr. Harrison and

another gentleman, and although those two gentlemen swore informations, Mr. Cameron, the police officer, refused to receive them. Mr. Cameron has been promoted, but a man called Markham, who once withdrew the police under his command in order to avoid bloodshed, was degraded. This man did not act up to the Chief Secretary's motto, "Do not hesitate to shoot," and he did not belong to that class, half serf, half squireen, from whom District Inspectors are mostly chosen. He was a man who had risen from the ranks, and consequently had sufficient sympathy for the peasant class to wish to avoid a reckless use of the bayonet on them. I possess a tabulated statement showing that the law is administered one way in favour of the police, and another way against the people. And now I bring this charge against those who have authority over the Royal Irish Constabulary, that whilst it is their proper duty to maintain law and order in Ireland—or, at all events, that wretched substitute which there stands in the place of law and order—they have been transferred to London as the mere dustmen of the *Times*, and I will show that the men drafted to London were as much the agents of the *Times* as were Pigott or Houston. Is it not a strange thing that the same men, or the same class of men, who were employed for collecting evidence for the *Times* were also employed to prevent the collection of evidence on behalf of the Irish Members? It seems to me beyond the possibility of doubt that the men acted upon some hint from headquarters. These men catch the tone of their masters. They know what their masters think with dog-like fidelity and carry out their master's wish, but not like dogs. Dogs generally are actuated by affection, but the Irish Constabulary are stimulated by the low, gross motive—the hope of pecuniary reward. Constables have been known of late to molest men collecting for the Parnell Defence Fund, to seize their collecting cards and disperse a small gathering of Nationalists. Recently also there has been a case of constables tearing down placards asking for subscriptions in aid of the legal expenses of the Irish Members, and three young men who were engaged in innocently tabulating statistics of crime to be produced before the Special Commission were followed by police and deprived of their papers—though these subsequently were grudgingly restored after questions galore had been addressed to the Chief Secretary on the subject in this House. How was the *Times* treated by the Government—of course in their private capacity—according to the statements of Head Constable Quinn, Michael Roche, and Iago—and a better name for a witness for the *Times* was never devised? Why, it is clear that the police were employed to get up the *Times'* case. On the 11th April we find there was close connection between the constabulary and the *Times*. A secret Police Circular was issued to the constabulary early in November, the first sitting of the Commission Court taking place on the 22nd of October. This circular was sent to every police station by every District Inspector with instructions to find out, almost in the language of the Charges Commission, the connection between the League and crime. We have read this circular before the House, and the right hon. Gentleman has exercised great discretion in regard to it, neither admitting or denying it. But we have further evidence; we have evidence of the eyesight of a Member of this House. It happens that the chambers of the hon. Member for Rushcliffe Division overlook Mr. Soames's office in Lincoln's Inn, and he saw Mr. Soames's office looking like an office of the Royal Irish Constabulary, around which Irish constables lounged and smoked, and the men thus engaged week after week are those we are now asked to vote this money for as preservers of law and order in Ireland. Hanging in Mr. Soames's office was a notice, signed by County Inspector Flockton, requiring men of the constabulary to enter their names in a book kept in the office for the purpose. Inspector Flockton was never examined before the Commission. What was he doing there? Coaching *Times* witnesses. And for this we are asked to pay this Inspector his salary. Further, the connection has been shown between the constabulary and Pigott. So long as Pigott was of value to the *Times* and the Government he had a guard of honour of the Royal Irish Constabulary; but when he ceased to be of value, the guard dropped their arms and Pigott was allowed to go. Two Irish sergeants

of constabulary, Sergeants Fausett and Gallagher—I hope they have had promotion for their services—were placed under the orders of Shannon of the *Times*, and these formed a bodyguard for Pigott. But this guard allowed Pigott to escape after they had got from him on the Saturday a sworn affidavit to be read in the Court on Monday. Then we had Head Constable Preston, of the Royal Irish Constabulary, interviewing convicts in English prisons, at the instance of Mr. Soames, for the purpose of getting up evidence for the *Times* and to incriminate Irish representatives. We know that he visited Nally and Mullet in prison and held out to them almost any bribe to induce them to bear evidence against Irish Members. So to this further depth were the Irish Constabulary allowed to sink. They were employed to introduce into England the methods of Irish administration to the shame of both nations. Tracey was thus visited, and he was not afterwards examined; but there is good reason to believe that he was offered bribes to give evidence on behalf of the *Times*. Why were these members of the constabulary placed at the service of Mr. Soames of the *Times?* Why are we asked to pay their expenses in London when they should have been discharging their duties in Ireland? The Courts of Justice, the Inns of Court Hotel, were swarming with Irish Constabulary, and I am not exceeding the mark when I say that not more than a third of those brought over to London were examined before the Commission. An industrious gentleman has noted the numbers of constabulary present in Court when the Court on one occasion adjourned because witnesses were not ready, and at that time there were in Court eight members of the force in uniform, 10 in plain clothes, five District Inspectors, and four members of the Dublin Police. We have heard on previous occasions how an Inspector endeavoured to get evidence from a man named Welsh, under threat of prosecution for certain insurance frauds in which the man was supposed to be implicated. They were Liverpool frauds, said the Chief Secretary; but, as a fact, the trial would have had to be held in Ireland, for there the frauds were committed. We have Mr. Houston acting as paymaster to the men of the constabulary for their expenses during the time they were kept in London for weeks and months beyond the time they could have been required to give evidence; and, as a matter of fact, they never gave evidence at all. Why were these men in London, and why are we to pay their salaries as if they had been attending to their duties in Ireland? Why are we asked to pay these men for time in which they were assisting in an infamous conspiracy? I have described these men as the dustmen of the *Times*, and now let me touch upon them as the merciless, heartless, cruel bailiffs of merciless landlords of Ireland. Nothing, I suppose, in connection with the cruel eviction proceedings in Ireland sent a greater thrill of horror through this country than the action of the police at the Glenbigh evictions when they protected emergency men, while the latter used petroleum for firing the wretched homes of the evicted tenants. At Falcarragh a new form of police administration was entered upon. Special bailiffs, not the Sheriff's men, but servants of the landlord, were employed; and here we first have the now famous battering ram brought on the scene. My right hon. Friend the Lord Mayor of Dublin (Mr. Sexton), a man not in the habit of going back from his word, has said that if we do not find out how the expense of this battering ram is paid, we shall oppose vigorously all efforts to get this Vote. Now, after much questioning, we did obtain from the Solicitor General for Ireland the fact that the ram cost £48 18s. 2½d., and that it was sent to District Inspector Law, of Letterkenny. I suppose hon. Gentlemen opposite will regard the *Dublin Daily Express* as a trustworthy authority, and in the issue of that journal for March 28 we have a description of the battering ram, to the effect that the ram is 15 feet long, mounted on four wheels, suspended by chains from iron uprights, and that the men working the ram have the protection of an iron shield—in addition to the protection they receive here from the Chief Secretary—picks, crowbars, scaling ladders, and other gear was attached, and the whole paraphernalia was sent on to Inspector Law, at Letterkenny. But we have had the greatest difficulty to find out how these expenses were paid. Who paid for this ram?

Who owns it? I hope now that the Chief Secretary will not exercise any maidenly reserve in this matter. I may refer the Committee to the questions many of us asked about this ram earlier in the Session; but with the exception of the information I have mentioned as extracted from the Solicitor General for Ireland, we have not yet found how this ram has been paid for. On Friday the Chief Secretary informed me that it is an item that does not appear in the Estimates; and yesterday, exercising the better part of that courage with which on the assurance of the Chancellor of the Exchequer we are asked to credit him, the right hon. Gentleman discreetly stayed away and avoided further questioning. Well, this battering ram was received by the police, and the police tested its qualities at Gweedore. I being in the neighbourhood at the time addressed the local Inspector with a courtesy to which he at first responded; but when I asked him for information as to the practice with the ram, our relations immediately became strained, and have so continued since. The ram was brought out for active operation at the Olphert evictions on April 11th this year, to be used against miserable turf hovels that even a kick from the Chief Secretary would demolish. The ram was not actually used then, but it was present. Now, I want to use this battering ram against the police. I know the right hon. Gentleman will say he is accustomed to these strictures, and that after all they are no more than his predecessors, and notably the late Mr. Forster, had to submit to. The late Mr. Forster had a tender heart and a conscience; but the present Chief Secretary has only an uncle and a battering ram. At these Falcarragh evictions the homes were without food—the tenants in the poorest possible condition. I have seen a good deal of misery and destitution and suffering under various aspects, but I confess I have never seen anything so pitiable as the employment of the ram against those wretched hovels and the turning out on the roadside of miserable people with starvation marked on every lineament. On the Good Friday I was present, and saw one of the tenants, a man of 45 years perhaps, waiting for the battering ram to smash his wretched house away. Not a morsel of food had he in the house; his potato crop of three acres had failed. On this cold clay floor his mother was lying in a state of stupor; a little child was playing about; starvation was written on the man's face. The usual policeman had followed us to take note of our proceedings, and to him I turned and invited him to join with us in giving the man assistance. To do him justice he did so. I will not give his name, for a black mark might be set against it. It is against scenes of this kind we protest—scenes which are enacted at the instance of the amateur apostle of Church Congresses. What an example of practical Christianity, on the anniversary of the death of our Redeemer! On this Olphert estate the cost of these evictions was 10 times the amount of the rent due; but the landlord derived some pecuniary advantage from letting the wretched hovels of his evicted tenants as temporary police barracks. These things I can prove, though now I only state them. Removing the trappings from the pretence of maintaining law and order, we find that Irish administration is a gross, wicked, villainous, sordid system of tyranny. Those who ought to be the natural guardians of the people are those who, carrying out the behests of the Chief Secretary, have promoted these scenes.

*Mr. H. H. FOWLER (Wolverhampton, E.): I do not propose to trespass on the time of the Committee in reference to those questions of administration hon. Members have raised, upon which Members who have been in Ireland are better able to speak than I am. Approaching the Vote from an economical point of view, there are a few questions I should like to put to the Chief Secretary, and that the Committee may be able to understand the position of Ireland in regard to police, I would refer Members to the particulars given on pages 279 and 319 of the Estimates. On page 279 we find it stated that the number of police employed in Scotland is 4,027, and the number in Ireland which are to be provided for by the Vote is 12,810, the population of Ireland not being more than a million greater. The Committee have already voted for the Scotch police £156,125, the total cost, adding everything together, being, I calculate, about £376,000, whereas the cost of the Irish Police is £1,439,000. The

first question I wish to put is with reference to the pay, allowances, and extra pay. The ordinary pay is £871,000, allowances £77,000, and the extra pay is £34,000, besides travelling expenses. I find the pay of these officers higher than they would receive as officers in Her Majesty's Army, and very much in excess of the pay received by officers occupying similar posts either in the counties or boroughs of England, or in the Metropolitan Police Force. Take, for instance, the District Inspectors. You have 36 first-class Inspectors with salaries rising to £350 and £450 per annum, and 90 District Inspectors of the first class with salaries rising from £225 to £250, £275 to £300 a year. But that does not represent the whole of the pay of these gentlemen. If you simply take £200 or £300 a year, it is a very large sum for an Inspector. I find in the Metropolitan Police Force that there are two Inspectors who receive £200 a year; five £195, and 36 £190 a year. The population of Ireland is about the same as that of the Metropolis, and the number of the Irish Police is about 1,500 less than the number of the London Police; and the Irish Inspector is not called upon to perform more responsible duties than an Inspector of the Metropolitan Police. But if the Committee will turn to pages 322 and 323 of the Estimates, they will find six District Inspectors are specially employed on detective duty, each at £120 per annum, and I want to know whether that is in addition to the salary of £300 or £400 a year. Then there are five District Inspectors employed on detective duty at £100 a year, and I wish to know whether that is in addition to these gentlemen's salaries. We next come to an item in these gentlemen's pay for which I can find no parallel in the Metropolitan Police Force accounts. There are servants allowed to officers of the Irish Force—255 servants, each at £45 per annum, for whom we have to pay £11,475. Now, I cannot make out the 255 servants, unless these officers have several servants each. The Inspector General and Deputy Inspector General are, of course, superior officers, and also the County Inspectors. But, assuming that you give one servant to each District Inspector of the first class, that would only give you 140 officers who would be entitled to servants. But you have 255 servants at £45 per annum. You ought to pay to the Irish Inspector, as you have to pay to any other public servant, his full remuneration. This allowance of servants is merely an imitation of what goes on in the Army. Then there is a very large amount for these Inspectors' lodging allowances. I presume the Chief Secretary will be able to tell us that these amounts are checked; that they do not represent the estimates, but that they represent actual payments duly vouched for. Then I come to the stationery allowance. These County and District Inspectors receive stationery allowance to the amount of £2,700 a year. When I had the honour of sitting on the Stationery Committee some years ago, I found that in certain instances the stationery was sent, and the allowances were made. I should like a little explanation of this £2,700. Then I come to "special allowances," which I think must apply to the question to which the hon. Member has been drawing attention—special allowances to policemen serving in Great Britain, £1,358. Why are the Irish Constabulary introduced as serving in Great Britain? We are quite capable of managing our own police; and I never heard of the County, Borough, or Metropolitan Police requiring to be supplemented by the Irish Constabulary. But I take it that this is part of the expenditure of the recent migration of the Irish Police to England, where they have been in London, as we know, for some time. But there being a charge for "lodging and fuel," I should like to ask the Chief Secretary where the item appear on the other side to credit. A large number of the Irish Police have been in London on the service of the *Times*. These men have been paid. I have no doubt that the *Times* has been put to a very heavy outlay with respect to police witnesses. According to the Treasury rule, when a servant of the public receives pay from a third person, the amount must be carried to the credit of the account, from which the charge for that service is paid. If the House turn to the Metropolitan Police Accounts, they will find that the sum of £169,000 has been received for various purposes. Then we come to the items "receipts from public companies and private in-

dividuals, £16,659." Whatever service is rendered by the Metropolitan Police to a public company or private individual, that public company or private individual has to pay for it, and the money is carried to the credit of the Metropolitan Police Account. A little lower down on the page we have medical allowances and funeral expenses, £14,696. I make no comment on that, further than to point out that in the case of the Metropolitan Police, with between 1,000 and 1,500 more men, the medical and funeral expenses amount to £10,280. The Irish police under this head cost nearly £15,000; the Metropolitan Police about £10,000; and I do not think that medical attendance costs less in London than in Ireland. I should think that item might be considerably reduced. Then I come to extra pay, £31,800; and the sub-head of this item is "extra pay on account of elections and disturbances. We have to pay for that next year, £3,000. How many elections does the right hon. Gentleman expect next year. At all events, the right hon. Gentleman has provided £3,000—having got the police a million-and a-half—for extra pay on account of elections and disturbances. Well, then, I go a little further. We have not only allowed them £18,000 for their horses, and £2,000 for their arms and saddlery and so on, but there is car hire, mileage, and marching money, £35,000. Then there is another extra for elections again. These extra allowances for elections are to be paid next year; it is not last year's expenditure. Then we have "incidental expenses and contingencies," £1,000. I should have thought "contingencies" was enough. No; we have "miscellaneous stamps on attestation, carriage, clothing, &c.," £5,000. Then, besides the £18,000 for forage, we have £3,000 for the keep of horses and repairs of cars. I wish the House of Commons to look at the whole of these items, not from a political point of view, or as raising the question of Home Rule, but simply as a question of administering public expenditure. There is the item of postage, £6,800. That represents, at a penny stamp, the police in Ireland writing 4,400 letters a day. It would be an insult to the House to make any comment upon that.

*Mr. H. H Fowler

*Mr. A. J. BALFOUR: What is the page of the postage?

*Mr. H. H. FOWLER: Page 319. It is very singular that no details are given of this sub-head. Now, I come to an item in which the House may be always sure to find out extravagance — I refer to pensions. I have always been of opinion that the superannuation and pension allowances to the Metropolitan Police Force were upon the most liberal scale. The entire expenditure under this head on the Metropolitan Force last year was £193,977. The expenditure on the Royal Irish Constabulary for pensions and superannuation allowances was £298,395—that is, £100,000 more. We have been talking about an extra charge of £36,000 a year, but here you have £100,000 more a year for pension allowances for the Royal Irish Constabulary than is incurred for the Metropolitan Police Force. Without raising any question as to whether this Force is necessary, whether you should have four times the police there are in Scotland, I want to know, from a purely economical point of view, why it should cost this enormous sum, so much in excess of similar forces elsewhere; and I should like to know what responsible authority checks this amount? I do not suggest for one moment that the Chief Secretary has personal knowledge of this matter. Sir, these are precisely questions I would have asked and the statements I would have made, had I been sitting behind that Treasury Bench.

*The CHIEF SECRETARY FOR IRELAND (Mr. A. J. Balfour, Manchester, E.): Mr. Courtney, perhaps I had better, as the right hon. Gentleman has dealt with an aspect of the question somewhat apart from that which hon. Members below the Gangway were engaged in discussing, confine the remarks I now make entirely to the observations which have fallen from the right hon. Gentleman, leaving to a later period of this evening dealing with the allegations brought against the Government by the two hon. Gentlemen below the Gangway. The right hon. Gentleman tells us that he would have made precisely the same criticisms and asked precisely the same questions had he been sitting behind the Government, instead of facing the Government, as he has done now. But the right

hon. Gentleman has occupied even a more favourable position than that of an ordinary member of a Government, because for a considerable period he was the responsible Treasury official before whom all the expenditure of the country, including the Irish Estimates, came, and it was his business not to make barren criticisms across the floor of the House, but to exercise direct supervision and control. Though I do not wish to cast his official position in the right hon. Gentleman's teeth, yet I must say that it was rather remarkable that the right hon. Gentleman should have deferred to this period of his Parliamentary career the statement he has now made.

MR. H. H. FOWLER: I am sure the right hon. Gentleman would not misrepresent me. I made the statement when the Government of the right hon. Gentleman the Member for Mid Lothian was in office, and I sat where the hon. Member for Preston is sitting now.

*MR. A. J. BALFOUR: I do not doubt the right hon. Gentleman's consistency as a Member of the House and when he sat where my hon. Friend the Member for Preston now sits. What appears remarkable was the right hon. Gentleman's conduct when, as Secretary to the Treasury, he was responsible not merely as a Member of this House, but as Member of the Government. I want to know why, holding the views he does, he let the whole thing alone at a period when he was brought face to face with the questions he has brought before us. One reason why the right hon. Gentleman let the whole thing alone may have been that, on investigation, he found, after all, that the expenditure was not without justification, and that, after all, there was no excuse for the severe condemnation which he has passed upon the Irish Constabulary. The right hon. Gentleman began by drawing a comparison between the cost of the Irish Constabulary and the Metropolitan Police. Well, while the number of the police in the Metropolitan area is not very different from that of the Irish Constabulary, the cost is in excess. I am informed that the total cost of the Metropolitan Police is a million and a half, and the cost of the Irish Police is less than that sum. Of course, I am perfectly aware that there are circumstances in the condition of London which may lead to the conclusion that it requires a larger police force than is required for a population scattered over a thinly-populated area. But if there are special circumstances connected with London, there are also special circumstances connected with Ireland which render it necessary, and have always rendered it necessary, that a large Police Force should be kept there Without entering into the question of order or disorder—which I will reserve for a later period—I will point out that upon the Irish Police are cast a multitude of duties by various Statutes—duties in no way connected, directly or indirectly, with subjects of political controversy, and which do not fall upon the Metropolitan Police. [*Cheers.*] That remark is cheered ironically by the hon. Member for Donegal; but the hon. Member ought to be perfectly aware that on them are thrown such duties as the collection of statistics and other matters which have no counterpart in the case of the London Police Force. But it is perhaps enough to say, broadly, that the cost of the two forces is not so different as the right hon. Gentleman stated. The right hon. Gentleman then went on to allude to servants allowed to the force.

*MR. H. H. FOWLER: Special pay.

*MR. A. J. BALFOUR: As to the special payments, they are made for special services. No other explanation can be given than that special services are required and have to be paid for. Then the right hon. Gentleman complained of the enormity of asking this country to provide £45 a year for each servant of each officer of the force, when that is not required in London. But every one of these officers of the Irish Constabulary is required to keep a horse, and that cost is not thrown upon the police officers in London. If they have to keep a horse, they have to keep a servant; and this expenditure should clearly not be borne by the officer. I would point out to the economical mind of the right hon. Gentleman that in former times the custom used to be that the duties were performed by an orderly at a cost of £80 a year, so that this substitution of a servant for an orderly was a great economy; and it is absolutely impossible, so long as the rule is enforced, that each officer shall

keep a horse to deprive him of the allowance for a servant. With regard to the stationery allowance, I have no information to give the right hon. Gentleman. I will inquire into the system, and, though I have no reason to believe that it is not economical, I will see that economy is practised. Then, as to the item of special allowances for lodging and fuel for men serving in Great Britain, I am surprised, not at the right hon. Gentleman's remarks on the subject, but at the vociferous cheers of hon. Gentlemen below the Gangway, who apparently think that the item is due to expenditure incurred in bringing over constables to the Special Commission. The right hon. Gentleman asked whether it is not a fact that this item is connected with the presence of a large number of police constables in London. ["No!"] The right hon. Gentleman asked if they were brought here for the *Times*.

*Mr. H. H. FOWLER: I did.

*Mr. A. J. BALFOUR: I listened to the right hon. Gentleman, if hon. Members below the Gangway did not. To that I reply that neither directly or indirectly is this item connected with the *Times* case. For the last 40 years it has been the custom—as far as I know a beneficial custom—to have a certain number of members of the Irish Constabulary in the large towns of England and Wales, but they are not here in connection with anything that could be described as a political crime. Their duty is to detect ordinary crime committed by members of the floating population that spend part of the year in Ireland and part of the year in England. Then the right hon. Gentleman asked whether there has been any payment in favour of the Exchequer on account of the sums paid by the *Times* to the officers of the constabulary. To that I answer generally that the dealings of the *Times* with the witnesses has been precisely the same as in any ordinary case. The ordinary practice with regard to the cost of witnesses and the source from which such cost is defrayed, I have no doubt, has been strictly followed. The right hon Gentleman next drew attention to what he calls "the magnitude" of the medical allowances. The explanation which I have to give is that where doctors are expected, as they are in Ireland, to make long journeys, considerable expense must often be incurred. The concentration of the police force in London is no doubt a source of economy. Similar economy could hardly be practised where a Police Force is distributed over so large an area as Ireland. The heading "extra pay" is very misleading, for it does not represent what any ordinary human being would infer from the name. The pay here referred to is simply the allowance which must always be paid to people who are required to leave their ordinary abodes and to sustain themselves elsewhere. It does not represent pay for additional services, but it represents the additional expenditure incurred by members of the police force when they are required to support themselves in some other place than their own homes. The right hon. Gentleman has made merry over the item of £3,000 in connection with elections and disturbances, and asked whether a General Election is expected next year, as this item appears on the Estimates. But as the same amount was required last year, when there was no General Election, it is only reasonable to suppose that an equal sum will be wanted this year. There are many elections in Ireland in addition to Parliamentary elections, and at any rate the right hon. Gentleman will not deny that there are disturbances. As to the Transport Service in Ireland, the right hon. Gentleman must know that large bodies of men cannot be moved without throwing considerable expense upon this estimate. The right hon. Gentleman also criticised the sum spent on postage. He said what an appalling thing—£18,000!

*Mr. H. H. FOWLER: £6,800.

*Mr. A. J. BALFOUR: Well, £6,800. That item, no doubt, has increased; but the increase is due to the fact that now great use is made of the parcel post. [*Laughter.*] The last point to which I need refer is the question of pensions. Undoubtedly, the tendency in recent years has been to improve the position of the Constabulary. If the right hon. Gentleman thinks that their pay and allowances, including pensions, are too great, I cannot agree with him. I will, however, point out that I am not responsible for the present scale and rate of pay. If there is any responsibility in the matter attaching to one Government more than another, that responsibility rests with

the heads of the Party to which the right hon. Gentleman belongs. Considering the onerous duties devolving on the force, the extremely difficult character of much of the work which they have to perform, and considering also that the very best men that Ireland can provide are enlisted in the service, I do not think that they are overpaid. The excellent *personnel* of the Constabulary Force is notorious. We have secured the very pick of the Irish population. I will be no party to the kind of economy to which the criticism of the right hon. Gentleman points, and I will do nothing to injure a force of which, as I hold, Irishmen may be justly proud.

*MR. H. H. FOWLER: I wish to have one word of explanation in reference to the allusion which the right hon. Gentleman made to me. I never was responsible at the Treasury for the Irish Estimates. The Irish Estimates which passed through Parliament when I held office were signed and presented by my predecessor. I quite agree with the Chief Secretary that my own Party is quite as much to blame for the extravagant administration of the Irish Constabulary as the Party of the right hon. Gentleman. I do not approach this question from a Party, but from a purely economical, point of view. I made a far stronger attack upon my right hon. Friend the Member for Bridgeton when he was Chief Secretary than I have made to-night; and I should wish to divert this part of the subject from a Party aspect.

*SIR W. FOSTER (Ilkeston, Derby): Mr. Courtney, I have said on previous occasions that this expenditure was very useless, very dangerous; and the Chief Secretary has not given us that fair answer which we could have expected. I hope another year we shall have a more satisfactory explanation from him. There is one point to which he alluded which does open our eyes a little, and that is, that the Irish Constabulary get extra pay, and therefore have a great interest in disturbances.

MR. A. J. BALFOUR: The hon. Gentleman is entirely mistaken. I explained, I thought clearly, that there is no such thing as extra pay in the ordinary sense of that word.

*SIR W. FOSTER: It comes out of the pocket of the taxpayers, and we object to our money being spent on travelling expenses and conveniences for a military police. I happen to have, probably, a longer experience of the Irish Police than the right hon. Gentleman. Thirty years ago the Irish Police were the pride of Ireland. The physique of the Irish Constabulary is as good now as then, but 30 years ago they occupied a very different position in the regard of the people to what they do now. At that time the cost of the force was about £700,000, although the population was 6,000,000. Now it is £1,500,000, with a decreasing population. The great mass of the people are in bitter antagonism to this military police force, and I protest, as a taxpayer, against this wanton and wasteful expenditure. There is another way in which you can judge of the changed relations between the people and the police. Thirty years ago the privates in the Police Force were often enabled to marry above their stations in life, and you could not have a better test of the popularity of the force than that. But the other day I had a conversation with a young lady of good social position, and she stated that she was compelled to break her engagement with an Inspector of Police, such was the feeling of the district, and so strong the feelings of her own relations. What I wish to point out is that the condition of things is changed very much for the worse. In August last year I went to Abbeyfeale, in Ireland, in order to go over the estate, where 45 houses were being prepared against evictions. I went to the house of the Parish Priest, and when I came out I saw a little picket of police, and further on another squad beside a car. I drove with the Priest to the estate, and saw, to my astonishment, that the police followed in their car—an army of one sub-inspector, one head constable, one sergeant, and one rank and file. That was a disgraceful misuse of the Force. They kept a certain distance from us, but followed us the whole way to the estate, pulling up within a few yards of us. I looked at the fortified houses, and spoke to one policeman who followed me about, in order that no mistake might be made, and in order that he might ask me any questions. I said something about the evictions, and he said it was a bad day for them. It was raining, as if that had

anything to do with the cause of the misery which was being occasioned. He asked me no questions. I had conversation from time to time with the people, and the officer continued to follow my movements. We drove to another estate, and these men followed us. I say such conduct to a Member of Parliament was an insult to him and his constituents. If the officer had inquired from the Resident Magistrate, he would have discovered who I was. When I told the Resident Magistrate—to whom I had done a kindness by attending in my capacity of a doctor to his daughter, who was suffering from a sickness of a fatal kind—how I had been followed, he seemed ashamed of the indignity to which I had been subjected. My experience is not singular. I took refuge in the Priest's house, and when I came out I found I was watched. We drove to the station and found policemen there waiting for us. During the whole of my stay I and my friends were watched by policemen. Practically, we occupied about one-third of the force of Abbeyfeale. This misuse of public money, this barren use of the police, is a disgrace to any Government or any official who defends it. Similar indignities have been offered to other Englishmen travelling in Ireland. In England we do not allow our police to be used for private purposes without a money charge being made for their services; and if the right hon. Gentleman would introduce that system with regard to the Irish Constabulary, the landlords would be a little more tender in the administration of the law and in the execution of their decrees. Then we have, also, the charges of brutality of the Police Force, in such an instance as that of Mr. O'Brien, who was actually injured the other day. And we had frequently before this House, in the shape of repeated questioning, the telegram in which a Constabulary Officer said — "Do not hesitate to shoot."

*Mr. A. J. BALFOUR: The hon. Gentleman will excuse me for interrupting. That telegram has been grossly misquoted. The words "if it be necessary" have been left out by those who have quoted it; and I suppose that even the hon. Gentleman opposite will admit that those words are not an unimportant part of the telegram.

*Sir W. FOSTER: I admit that these words, to a certain extent, take the sting out of the telegram.

Mr. A. J. BALFOUR: Hear, hear.

*Sir W. FOSTER: But when a man puts the words, "Do not hesitate to shoot" in front, it shows the spirit by which the man is prompted who writes the telegram. If he had been actuated by a different spirit, he would have said probably, "Only shoot in the last resort." I believe that this expenditure on the Irish Police is bad because it creates disaffection among the Irish people. A more humane system should be introduced, for every week we have instances of the brutality of the police recorded. A brutal police means a brutalised people. The people of Ireland are being reduced to a state of bondage by the presence of a Military Force in their country, which is as if under a military occupation. You arrive at a station, and police are there to receive you and to watch you off. If a few people gather around you in conversation, the police come between you. This military spirit is rampant and dominant throughout the country, and the people resent it. It is a system of bondage for the Irish people, a life of bondage, and of licence for brute force; it is a system which is a disgrace to the British Government, and I hope that an end will soon be put to it.

Mr. GILL (Louth, S.): I do not know when the right hon. Gentleman proposes to reply to the graver charges which have been made against his administration of the police; but before he does so, I wish to put a few questions to him, chiefly in connection with the incidents attending the arrest of my hon. Friend the Member for North-East Cork. On a recent occasion my hon. Friend brought this matter before the House, but he had to do so under very unsatisfactory circumstances. He was only allowed to make a personal statement, and moreover, the right hon. Gentleman the Chief Secretary was, by the ruling of the Chair, precluded from making any reply to the statement. I trust, therefore, that this evening he will not treat this as a question which has been disposed of, more especially as he has taken very good care that this evening my hon. Friend the Member for North-East Cork shall be absent from the House. This is the day on which it

was necessary that he should be in Ireland in order to take his trial for the alleged offence for which it was thought necessary to arrest him in so summary and violent a fashion some weeks ago, and the day selected for the trial, notwithstanding the protests of my hon. Friend, was also the day selected by the Government for commencing the discussion on the Irish Estimates, and for discussing especially the Vote on which this particular question could be raised. Therefore, I repeat that the right hon. Gentleman has provided for the absence of my hon. Friend, and he has also provided for the absence of the hon. Member for Longford, who he knew would be engaged in the defence of the Member for North-East Cork. I trust the right hon. Gentleman will treat this question as if my hon. Friends were present, and that he will give us a clear explanation of the reasons why the Government adopted the course which they took on that occasion. First, I will ask, why was the hon. Member arrested in the manner in which he was? Why was it necessary to arrest him at all? Why did the Authorities not proceed in the manner in which they have proceeded in a subsequent prosecution—namely, by summons? The day on which the arrest took place was a Sunday, and a day of great excitement and commotion in the City of Cork.

THE CHAIRMAN: Order, order! It does not appear that the question which the hon. Member is discussing is pertinent to this Vote.

MR. GILL: I am desirous of discussing the action of the police on that particular occasion.

THE CHAIRMAN: Order, order! The conduct of the police is quite pertinent to the Vote; but I understood the hon. Member to be entering into an examination of the reasons why this particular day was selected for the arrest.

MR. GILL: I was trying to point out that this was a day of great public excitement in Cork, and there was great danger in bringing the police into violent collision with the people on such an occasion. I want to know from the right hon. Gentleman why, upon an occasion of that kind, he took a course calculated to result in violence, in bloodshed, and in a grievous disturbance of the peace. Why did he select that occasion for the arrest of my hon. Friend? The first thing which occurred on this occasion was a baton charge by the police at Bandon Railway Station. The explanation for that charge offered by the Solicitor General for Ireland when this question was raised upon a recent occasion in the House, was that a rescue had been attempted by my hon. Friend the Member for North Monaghan; that there was a crowd of persons on the platform which intended to attempt a rescue, and that it was to prevent that that the baton charge took place. Now, that statement I brand as a monstrous fabrication, and whoever put it into the mouth of the right hon. Gentleman or of the Solicitor General for Ireland gave them an utterly unfounded and utterly infamous fabrication. There would have been no such thing as an attempt to rescue; there was no such intention in the mind of anybody present, for nobody had the slightest notion that the hon. Member was about to be arrested. A number of his friends, including some colleagues of the hon. Member for North Monaghan, went to meet Mr. William O'Brien on his return from a meeting in another part of Cork in order to accompany him to another railway station from which he was about to take his departure for London. There were several ladies among those present, and this is the crowd which it is suggested would have attempted a rescue. As a matter of fact, it was only when he stepped out of the carriage and a policeman laid his hand on the hon. Member's shoulder and announced that he was a prisoner, that anybody dreamt that an arrest was going to take place. At that very moment, without a moment's warning, and without the slightest provocation, the police rushed violently, baton in hand and muskets clubbed, on the crowd of inoffensive people on the platform, and they felled to the ground my hon. Friend the Member for North Monaghan, who is still suffering from the effects of the blow. They struck several people in the crowd, and they committed one of the most wanton and barbarous assaults that has ever been recorded in the annals of tyranny all the world through. Now I wish to ask the right hon. Gentleman why he chose such an occasion for the arrest of my hon. Friend; and, secondly, what was the cause of this

baton charge. How can he explain the fact that this violent criminal, whom it was necessary to arrest amidst scenes of violence, bloodshed,and disturbance has since that moment been walking about at large doing as he pleases. I think the circumstances I have narrated show the utter hollowness of the pretence which was put forward that a rescue was projected. Now I come to another grave matter in connection with this question, and that is the firing by Inspector Concannon and his men on the people assembled at the Charlevi le Railway Station. The right hon. Gentleman ha explained that this crowd also had an intention of rescuing my hon. Friend, and that they were proceeding in a most violent manner to do so; that they were firing shots at the police in their attempted rescue, and that the police were therefore put under the necessity of firing back again in self-defence. Now, Sir, there is one very plain answer to that suggestion. Mr. O'Brien was arrested about 10 o'clock at night. The telegraph office at Charleville had been closed ever since 10 o'clock in the morning, and there was no possibility in the world of the news reaching Charleville before the arrival of the train in which Mr. O'Brien was being conveyed. What really occurred on that platform was this: A little group of band boys had assembled to meet the deputation which had gone from Charleville to attend the Cork meeting, and they intended to escort that deputation on its return home. When the train arrived, this band struck up a tune, which they were allowed to play right through. Then they commenced a second tune, and marched along the platform in the direction of the carriages, from which they expected to see the deputation alight. When they had gone half the way along the platform, they received the first intimation that Mr. O'Brien was in the train under arrest, and they at once gave a cheer for the hon. Member, and rushed to the carriage door asking leave to shake hands with him. Inspector Concannon, who was in charge of the police, thereupon became exceedingly excited. He drew his sword and declared that these men were about to rescue Mr. William O'Brien. An attempt was made to open the door, as the blinds to the carriage windows were all closely drawn, but the police thrust out their rifles and drove the crowd back. Someone thereupon broke a window with his stock, and Concannon and two policemen drew their revolvers. At the same time, one of the porters employed at the station went to the carriage to collect tickets. He pulled open the door and asked for the tickets of the police, but they shouted out that they had no tickets. He told them that they must get some, and they at once hurled him from the carriage and slammed the door in his face. The crowd thereupon groaned, and the policemen, just as the train was moving off, fired three shots from their revolvers. I want an explanation of that conduct. Will the right hon. Gentleman give the House any means of inquiring into the responsibility for what might have proved a bloody and atrocious murder? I brand the conduct of the police on that occasion as deserving in the utmost degree of the condemnation of the Executive. The statement of my hon. Friend the Member for North-East Cork is before the House. He has described what occurred between himself and the police after the train had left the station. He has told the House how the Inspector admitted that only three shots were fired. He has shown how, upon examination, he found that all three shots were fired by the police, and with such unimpeachable evidence before him, surely the right hon. Gentleman, if he conducted the business of his office as it should be conducted, would agree to make a thorough inquiry into the proceeding, and to hold a public inquiry on oath, and thereby satisfy the public that the truth would be elicited. These are the heads of the very grave matters I charge against the police this evening. I shall reserve my comments on the right hon. Gentleman's reply until we have got his explanation. For the present I shall not deal at any greater length with the administration of the Police Force in Ireland, my desire being to concentrate the attention of the right hon. Gentleman upon these particular matters.

MR. O'HEA (Donegal, W.): I wish to press upon the right hon. Gentleman a few further considerations appertaining to the same occasion. I was witness of most of the events that occurred in Cork in the earlier part of the day, but I was not present at the railway station,

although I have taken the trouble to satisfy myself as to what occurred on that occasion. My hon. Friend the Member for North Monaghan, knowing that Mr. O'Brien was coming from a distant part of the country, left his hotel accompanied by two young ladies, the daughters of the proprietor, to meet his friend. I have since obtained a graphic account of the occurrence at the station. The party left the hotel about half an hour before the train was due to arrive at the station, and at the time of their arrival there, they found very few people present, although a large crowd of police had mustered. They ascertained from one of the porters at what portion of the platform the carriage in which Mr. O'Brien was travelling would be likely to draw up, and while the Member for North Monaghan was talking to a Tipperary gentleman, a policeman, known to these young ladies, recommended them to go down to the lower end of the platform, because he said they would be quite safe there. Why did he give that advice to the young ladies? The manifest answer is—that the policeman knew that something was going to happen, and that probably a baton charge would take place as soon as the train arrived. I do not propose to go into all the details of the bludgeoning which followed. I may merely remark that one of the persons who was so injured as to have to be conveyed to the hospital was one of the sergeants of the Mayor of Cork, who had simply gone down to hear the cheer given for Mr. O'Brien. He was in uniform, and one would have thought that his uniform would have protected him from assault; but, as a fact, he was so seriously injured that a fortnight afterwards he had not recovered from the beating he then received. But I repeat that I will not go into the details of so brutal and disgusting an occurrence. Comment has been made on the extraordinary methods employed for the arrest of Mr. O'Brien ——

THE CHAIRMAN: Order, order!

MR. O'HEA: Upon the arrest of the hon. Member for North-East Cork, and I respectfully invite the attention of the House to facts which sufficiently indicate the extraordinary circumstances under which my hon. Friend was arrested. It happened that the following evening I was driving on my way home, when I called upon my hon. Friend the Member for East Cork. That gentleman told me that during the whole of the day the front of his office had been patrolled by policemen in uniform, and that the place had also been shadowed by constables in plain clothes, and he gave me certain instructions to carry out in the event of his arrest. While I was in his office a District Inspector, accompanied by the Head Constable and two other constables, entered and arrested him. I suggested to my hon. Friend that he should ask to see the warrant; and when it was shown to him, we found that his name was actually bracketed with that of the hon. Member for North East Cork, and that he was charged in respect of the same offence as had led to the charge against the Member for North-East Cork. Why, I ask, were not both hon. Members arrested on that Sunday? Why did the police distinguish between the two? They knew that my hon. Friend the Member for North-East Cork, was one of the best-beloved of the Irish representatives; that he was sure of an enthusiastic reception wherever he went, and yet the police took the opportunity of a day of great excitement to arrest him. I will give another illustration to show the temper of the police on this occasion. While a man who had spent the day in the country and had not been to any meetings was walking through one of the streets in Cork, he was pushed up against by a constable. He remonstrated with the man, and told him that if he repeated his conduct he would make it the worse for him. He was at once placed under arrest, marched to the Bridewell, and charged with being drunk and disorderly, and the next morning it was proved in Court that he had for three years been a member of a Total Abstinence Association called "The League of the Cross," and consequently was certainly not under the influence of drink. Thus we see what was the temper of the police at the time they arrested one hon. Member in the presence of another hon. Member, for whom they held a warrant for the joint offence, and which they held over till the following day. The Committee will await with some interest and curiosity the answer given to my hon. Friend (Mr. Flynn), and also to the considerations by which I have endeavoured to supplement his remarks.

MR. BLANE (Armagh): I think it is not an unreasonable proposition that the Constabulary Force of a country should have some relation to the number of people in the country. The Irish Constabulary Returns, however, show that whilst the population of Ireland has decreased within the last 50 years, the Constabulary Force has increased both in number and expense. I find from Returns presented to the House, that in 1840 there were in Ireland 8,175,000 people. This year the population is onlya little morethan 4,000,000. One would expect that the force which in 1840 kept law and order very fairly going would be sufficient for the Chief Secretary now; but it appears the right hon. Gentleman cannot work with the same tools that equally distinguished men were fairly successful with in 1840. I find that in 1840 the pay of the Inspector General of Constabulary was £1,300. Nothing appears to have been paid him for allowances, travelling expenses, and the like. Now, however, the salary of the Inspector General is £1,500, and allowances bring up his total receipts to over £2,000. The County Inspectors of 1840 were thought to be well paid at £298. They received nothing for allowances or travelling expenses. Nowadays the County Inspectors receive £450, plus a large amount for allowances and travelling expenses. The first-class District Inspectors in 1840 were paid £150 and no allowances; now they get £300, together with allowances and travelling expenses. When we find that the travelling expenses alone for last year amounted to £38,361, and that in the present year they are estimated to be £41,861, the item is worthy of some consideration. I find that in 1840 the second-class District Inspectors thought themselves very well paid at £120; but the present second-class District Inspectors are not satisfied with less than £250, besides travelling allowances, extra pay, allowances for barrack accommodation, or, in lieu thereof, lodging money. The lowest class of District Inspectors were paid £100 in 1840, and there was no dearth of candidates for the post, but now similar officers are paid £125. The average wages of the heads of families in Ireland is about 11s. or 11s. 6d. per week, but the Irish constables, who are taken from the very humblest families, received in 1840 £24 a year, but now they get £62 8s. A soldier only receives £18 4s., and out of that he has a large amount to pay for different expenses. Acting sergeants got £27 14s. in 1840, but a generous British public now pays them £72 16s. Sergeants received £32 7s. in 1840, but the pay has been increased to £80 12s. 6d. Head Constables in barracks received £60 a year in 1840, but now they get £104. Surgeons received £300 in 1840, but now they receive £400 and about £100 for allowances and travelling expenses. The members of the Clerks' Department of the Constabulary, Lower Castle Yard, in 1840 thought they were abundantly paid by £1,000. Then there was a population of 8,175,000; but now, with only half the population, the Clerks' Department costs more than four times as much—namely, £4,845. In 1840 the Paymaster of the Constabulary received £200, but now he is paid £557, plus allowances and extra pay, and, if I mistake not, a clerk all to himself or £48 in lieu thereof. The whole extra pay of the Constabulary in 1840 was represented by 0, but now it amounts to £34,804. The travelling allowances in 1840 were also represented by 0, but I can well understand that now, with marching columns at the beck and call of every rack-renter in the country, the travelling expenses should amount to £38,361. Many gross abuses are disclosed in the discussions on the Estimates; but I defy anyone to show anything so corrupt as the expenditure of the money under this Vote. Now, as to the character of the crimes committed in Ireland, I remember that one read out by the Chief Secretary with great unction was that of a man putting out his tongue to a policeman. [An hon. MEMBER: In a threatening manner.] Just so. And then the right hon. Gentleman went on to say that there were a large number of threatening letters. We have over and over again stated that the constabulary wrote threatening letters, sometimes by their own hand and at other times by deputy. £18,800 is set down for postage. I defy any Minister to justify the charge. It is physically impossible for the police in their ordinary work to expend £18,800 in penny stamps. I have seen some of these threatening letters.

I know that when an officer of constabulary in a particular district wants to be promoted and there is not sufficient crime in his district, he gets threatening letters sent. The place is proclaimed, new barracks are erected, and the officer receives promotion. Only the other day I received a letter from County Armagh in which it is clearly shown how the police get up outrages. It was only a few days ago that a Sub-Inspector named Bigley, stationed at Lurgan, thought he ought to be a County Inspector. He is a man that has got on step by step from the position of an ordinary constable to that of a second-class Inspector. In the constituency I represent this man paid for the getting up of a constituency, and when he got it up he hired one of his agents to swear away the liberties of the rest of the men. He secured the conviction of some 13 or 14 men, and he received promotion in the force. The other day this same man sent out a body of constabulary armed with rifles evidently with no other object but that of firing on three men who were fishing in Lough Neagh. The men were James Robinson, John Robinson, and John Cameron. They hold the Revenue licence; they were pursuing their calling of fishermen; but Sub-Inspector Bigley ordered three volleys to be fired at them. Two bullets went through the boat, and one struck a small iron vessel in which a fire is kept and smashed it to atoms. The fishermen swore an information against the police, but only one of the constables, a man named Myers, was arrested. Nothing will come of the case, because all the forces of the Crown are always brought to bear to protect policemen. If the fishermen had returned the fire, which I think they would have been fairly justified in doing, we should have had the Chief Secretary asserting that a gross outrage on the police was committed. The Irish Constabulary are above the law. The law is nothing to them except they can use it. When it does not serve their purpose, when it is inconvenient to them, they sling it on one side. In the district of Donegal, that I know something of, the constabulary have endeavoured by every means in their power to get up outrages, and to provoke the people to breaches of the peace. County Inspectors make Returns as to the necessity of having large forces in particular districts, and when landlords turn out their tenants in thousands they must necessarily have a large constabulary force in the district by way of protection. Captain Hill, the cousin of one of the Conservative Whips, gets more by reason of the police and military being quartered in his district than the whole of his rents are worth. His tenants may adopt the Plan of Campaign; but the officers who are sent to the Gweedore Hotel are better tenants of Captain Hill than his ordinary agricultural tenants. Now, it is utterly impossible for any Minister to defend this Constabulary expenditure, which has risen from £419,442 in 1840 to £1,139,288. And the latter sum does not include the cost of Dublin Metropolitan Police. The Irish Constabulary are not a civil, but a military force, and yet they are kept up in defiance of the Military Act. The other night, the right hon. Gentleman the Member for Dublin said he was thankful that we had not a police system the same as in France. But I know that the conduct of the French Police is far different to that of the Irish Police. The Irish Constabulary are a far more formidable force than the French Force, and I fear that a similar state of things to that in Ireland will soon be set up in England. The action of the police in dispersing our meetings is hardly known in London, and I think that, taking all these things together, it would be well for the House to consider at least some of the matters I have put before it, dating from 1840 to the present year, not one of which can be contradicted by anyone in or out of this House. If that consideration is only given them, I think it will be seen that a case has been made out which urgently demands an immediate remedy.

MR. H. COSSHAM (Bristol, E.): The first thing that strikes me in regard to this question is that the home policy of this country, as well as its foreign policy, has the effect of doubling our expenditure. It is said that we must have a large expenditure on the police because it is necessary to maintain a large force, but we should not forget that the police force represents in itself the enormous amount of taxation we have to endure, the cost of the Irish Constabulary and military amounting to 25s. 6d. per head per annum to

every man, woman, and child in that country. We might, however, govern Ireland for a much less sum if we governed it on the principle of self-government which we adopt in this country. I think my hon. Friends have made out a very strong case, and I cannot but feel that while the suffering is theirs the degradation is ours. Indeed, I have felt a deep sense of degradation as I have heard the tales of sorrow and wrong that have been put before us, but I venture to hope that my Irish friends will recollect that there are many of us here who are not responsible for the state of things they have depicted—a state of things which we will alter as much as we can at the next General Election, whenever that may happen. This Debate has brought out very clearly the fact that the only two places in which the police come into collision with the people are those places in which the people are directly under the management of the Executive—namely, Ireland and London. In other places where they only deal directly with crime the police are the friends of the people, and it is only where they have to deal with the liberties of the people that this relationship is changed. I was much struck by the remarkable figures put before the Committee by the hon. Gentleman who introduced the discussion, as they showed that in 19 years, although the population of Ireland has very considerably decreased, the cost of the Police Force has increased by £571,572. This shows that where we have a statutory policy founded on justice, we can do with a small Police Force, but that where we have a policy like that which the Chief Secretary is trying in vain to carry out, it proves, as the right hon. Gentleman well knows, an utter failure, as any policy must be which does not tend to cement the people to us in amicable relationship. If the object of the right hon. Gentleman has been to bring the people into collision with the forces of the Crown then he has been successful; but that is not the object he has to promote, and consequently his policy has been a failure. I think the questions asked by the right hon. Gentleman the Member for Wolverhampton (Mr. H. Fowler) were very remarkable questions, and it may be said that the right hon. Gentleman the Chief Secretary never answered one of them. In fact, the flippant and slipshod way in which the Chief Secretary addressed the Committee showed that he wished to go round the Cape of Good Hope rather than deal with the matter at hand. I have, however, often noticed the facility with which the right hon. Gentleman evades a straightforward question. He was asked under what item we were to look for the charge for the battering ram, and we could get no direct answer. We have heard a good deal about the increased cost of the police; but, at any rate, the right hon. Gentleman cannot say the crime of the country is increasing, because the facts prove that that is not the case. Why, then, should we have to deal with the increased cost of that force at a time when crime is diminishing? For it is not on the Irish ratepayers alone that the cost falls, it is also made to fall on the taxpayers of this country. My constituents have to pay their proportion, and as their Representative I say they pay it unwillingly, and that we have no right to saddle on the hard-worked people of this country the cost of keeping up a force the main object of which seems to be to enforce the payment of impossible rents. This is a policy that cannot long be maintained. Last autumn I had the misfortune to be in Ireland and while there I witnessed some sad scenes. I was present at one case of eviction where the tenant had been bedridden for two years. There were seven policemen round the hut, and 30 or 40 emergency men, there being altogether about 100 policeman in the vicinity, and all this to get rid of a bedridden tenant. At last, after a deal of persuasion on the part of the priest and myself, we were able to get the tenant to pay the rent, which was only £11. I saw, on the same day, the eviction of the unfortunate man James Doo, of whom the right hon. Gentleman has said, the man was not killed by the eviction but by the exposure. He was over 80 years of age, and had lived on the farm for 60 years, and within three hours of his eviction he was a dead man. I do not hesitate to say—much as I loathe the idea of murder in the form in which it sometimes takes place—that in Ireland, where one man is killed by crime, ten men are killed by that policy of brute force, of which the right hon. Gentleman the Chief Secre-

tary is the distinguished representative. The Government are aware that this policy of brute force has never yet succeeded, much as it has been tried, and it never will succeed. The policy I believe in is that of removing the grievances of the people, and when we come to display an honest desire to meet the just demands of the Irish people, and to treat them as brethren and neighbours, we shall save the cost of more than two-thirds of the Police Force we now maintain in Ireland. I believe we shall, before very long, be able to put an end to the present state of things. I want to see a real union, not a union in which the policeman walks with his hand on the man he has arrested. I want also to see the time when the Representatives of the Irish people will no longer be subjected to the outrages they now have to encounter. We, on these Benches, are ashamed of such treatment, and want to wipe our hands of the disgrace of it. I protest against it in the name of the English Liberals, and I ask my Irish friends to excuse my intervention in this; but I want them to know that we sympathise with them in the state of things now going on in their country, and are desirous of helping them to remedy it. The policy of the right hon. Gentleman is, in fact, such that the country is only awaiting the opportunity of getting rid both of him and it.

MR. ARTHUR WILLIAMS (Glamorgan, S.): I desire to draw attention to one of the incidents connected with the discharge of the magisterial duty in Ireland which has come under my own observation—I allude to the trial of the hon. Member for Clare (Mr. Cox), and the hon. Member for Louth (Mr. T. P. Gill), at Drogheda, on the 8th July. My object is to bring before the Committee the kind of evidence which is put forward on such occasions by police constables—evidence which, though tested and rejected on this occasion, is not, I believe, often tested or rejected. The trial took place before two Resident Magistrates, the defendants being charged under the Crimes Act with having taken part in a criminal conspiracy to induce persons whose names were unknown—namely, tenants on the estate of Lord Masserene not to comply with their legal obligations, and also with having taken part in an unlawful assembly to commit such criminal conspiracy. On the 3rd June Drogheda was proclaimed under the Crimes Act, and on the 11th June a meeting was suddenly summoned and held. The two defendants attended and made speeches, which were fully reported in the *Freeman's Journal* and the *Irish Times*. The suddenness of the meeting apparently prevented the Magistrates from obtaining the services of a shorthand writer; but at the trial a constable was examined as a witness for the Crown, who swore he had taken a longhand note of the speeches, and he proceeded to read parts of them which appeared to be fully reported, and were evidently copied from the newspapers, as when tested in cross-examination the witness was unable to take down a single sentence that was read to him, and it was evident from both his evidence and demeanour that he was stating what was absolute falsehood. That was the conviction forced upon my mind, and I think I may say that my friends who were with me were equally impressed with the fact that what he stated was absolutely and physically impossible. I have asked the responsible Executive in Ireland to furnish the House with the depositions taken down, and which would have shown how the man gave his evidence, but I was told that it was not usual to do that. Surely, then, it is usual in criminal cases to have an inquiry when suspicion attaches to the evidence. I asked the Chief Secretary if such an inquiry had been held; I ask him again whether the circumstances under which this man gave his evidence have been investigated, and why the presiding Magistrate took a day to come to the conclusion that the evidence was unreliable. I have had some little experience—from observations and otherwise—of almost every kind of court in England and Wales—from the court of ordinary summary jurisdiction of the unpaid Police Magistrate—and I unhesitatingly say that if that evidence had been tendered on a charge of ordinary assault before a Petty Sessional Court in England, the Magistrate would have immediately dismissed the charge. I say unhesitatingly, and under a sense of responsibility, that if the Crown Counsel in any Court of Quarter Sessions or any Assize Court in this kingdom had put evidence of that kind in a criminal

charge before the jury, the Judge would have immediately invited him in a significant manner to withdraw from the prosecution. But on this evidence we were sent back to Dublin. The Court adjourned. We came back from Dublin, and absolutely the Counsel for the Crown was, I will not say allowed, but invited to address the Court after Mr. Bodkin had put forward proofs convincing to every one's mind of the absolute injustice of continuing the case. The case dragged on almost to the end of the second day before the Resident Magistrate acquitted the gentlemen charged. Now, I hold it my duty to bring these facts under the notice of the Committee. I think they throw a lurid light on what is going on in Ireland. If it is possible for a police constable to give such evidence and have it rejected, and to continue employed in the force and to be allowed to get up evidence of this sort—the only evidence very often which can be brought forward—then I ask the Committee and the country what is there which can be called a semblance of justice in the administration of law in Ireland?

MR. W. REDMOND (Fermanagh, N.): I shall move a reduction of this Vote for the Royal Irish Constabulary, but I may say at the outset that it is impossible for Irish Members to refrain from thinking what a vain and hopeless task it is to present the grievances under which the people of Ireland suffer before this House and the Government, when we know that the Minister who is responsible for the administration of the law in Ireland, and who controls the Police Force in that country, said only two or three months ago, in a speech publicly delivered in this city, that he and his Government treated with silent contempt the hon. Member for Cork and those who followed him. It is natural that, under these circumtances, I somewhat reluctantly condescend to address a few remarks to the right hon. Gentleman or to his colleague in the Irish Government. Over and over again, on the floor of this House and throughout the length and breadth of this country, our case has been stated against the Royal Irish Constabulary; and although the right hon. Gentleman the Chief Secretary, in the few words which he uttered to-night, treated very lightly the charges which have been made, still I think the speeches which have been made by English as well as by Irish Members show that throughout England the people are now becoming thoroughly acquainted with the true nature and object of this so-called Police Force in Ireland. The Chief Secretary sneeringly pretends to believe that there are no serious charges to be made against this force; but I think that what we have heard goes far to prove to the people of Ireland, who have borne so much suffering for so long a time, that at last the English people recognise that this Constabulary Force is not a mere Police Force, but that it is simply a power used to enable one class of the inhabitants of the country to trample upon the rights and liberties and property of the rest of the people of that country. Now, it is commonly supposed that in the people of Ireland there is an inbred instinct of opposition to policemen, and it is often stated, as a matter of course, that the Irish people natarally object to the police and rebel on every possible occasion against the constituted authorities. But I do not believe hon. Gentlemen will contradict me when I say that there are no people on the face of the earth who would object less to the existence of a proper and necessary Police Force than the Irish people, and it is simply because we have got a so-called Police Force in Ireland that allows crime to exist, and spends its time in interfering with the political life of the country, that we complain in this House and attempt to show the people of England that the Constabulary Force is used in Ireland, not for the purpose of putting down real crime and outrage, but for the purpose of maintaining the ascendancy of the landlord class in Ireland, and of the landlord government which, unfortunately, has the control of the police at the present time. We are not objecting to the Police Force in Ireland as police, but we do object that while there are parts of Ireland wherein moonlighting takes place and crime is allowed to exist, yet the Police Force is simply used for the dispersal of meetings which ought to be free from disturbance, and which certainly have no intention of disturbing the public peace; and while the police are engaged in shadowing Members of Parliament and interfering with public meetings in Ire-

land, the real perpetrators of crime and outrage are left alone, and are not interfered with at all. Now, in the course of my journeys through England to address public meetings I have often been asked how it is that, year after year, crime recurs in certain districts with extraordinary regularity. I have been asked, for instance, why it is that in given parts of Kerry moonlighting frequently takes place, and in answering I never could use an argument more powerful and more convincing than that at the very time these crimes are going on, the whole Police Force in Ireland is being used to disperse public meetings and to arrest Members of Parliament for so-called crimes, which were brought into existence by the Coercion Act, passed by this House two years ago. I honestly believe it would be impossible to find an Irishman in this House, either a Conservative or a Nationalist, who would for a single moment utter the slightest complaint against the Police Force in Ireland were its efforts directed against the authors of real crime and outrage. But the reason why we do complain here, year after year, when the Votes for the Royal Irish Constabulary come to be discussed is because we know from the experience of our daily life in Ireland that this vast sum of money is expended in supporting a large force of men who are not policemen, but who form a military body engaged not in the work of preserving the peace, but in work which is really responsible for disturbing the peace. Whenever the peace of Ireland is disturbed, it is upon such unfortunate occasions as the occasion of Mitchelstown, where a number of innocent people—an unarmed body of men met together without the slightest intention of breaking the law—were charged and set upon by these men for whom we are now asked to vote money as protectors of the peace. We know that on this occasion at Mitchelstown three unfortunate men were shot down in the streets of their own peaceful town by members of this force, which the Chief Secretary eulogised with so much warmth. The right hon. Gentleman in his cool, calm, cynical and sneering manner, said he regarded the Police Force in Ireland as the pick of the Irish people. That sentiment comes very well from the right hon. Gentleman, but I want to know whether it is a sentiment which is calculated to strengthen the hands of men who want to gain respect in Ireland and to govern the Irish people. I want to know whether it is not rather a sneer and an insult to the millions of Irish people, who hold that the police have misbehaved themselves, and who are told to-night by the Chief Secretary that the police are the pick of the population, and that on them alone depends the maintenance of law and order and of civilisation in our country. Had the right hon. Gentleman said the Police Force in Ireland were the only portion of the population that really and sincerely supports the Conservative Government to which he belongs, then he would have made a perfectly accurate statement, but when he comes here and tells the Irish representatives who have been insulted and imprisoned, tracked, and shadowed, and spied upon by these policemen—when he tells us that these policemen are the pick of the Irish population, and that they are the people of whom Ireland ought to be most proud, then I say he is adding a fresh insult to the long list of insults which he is never tired of flinging into the teeth of the representatives of the Irish people, who are elected as freely and as constitutionally and as justly to represent the Irish people in this House as the right hon. Gentleman and those who sit behind him are elected to represent their particular constituencies. The Chief Secretary, in his reply to the right hon. Gentleman the Member for Wolverhampton, who took to task on economical grounds the administration of the constabulary, said that the police of Ireland were undoubtedly well paid, because they had exceptional duties to perform, and he said they were men of such a class that it was necessary to pay them highly for their services. Yes, but he had not the hardihood or fairness to say what were the exceptional duties which the Royal Irish Constabulary are called upon to perform, and which necessitate their being paid at this extraordinarily high rate. He did not tell the House that they had to be ready at all times of the year, and at all seasons, in the middle of summer and in the depth of winter—that they had to be always at the beck and call of a few men, who, for selfish reasons, insist on depopulating whole

tracts of country, and driving men, women, and children out of the houses in which they were born. They are highly paid, but the word pay is not a proper description. It ought to be described as bribery, pure and simple, for I do believe that unless the Government paid the enormous prices which they do pay for the maintenance of the constabulary, they would not be able to maintain in Ireland a body to do the degrading and miserable and un-Christian work which the Royal Irish Constabulary do to their fellow-countrymen, day after day, on the occasions of these terrible evictions. I am sure that if the people of Great Britain understood that they are called upon to pay annually a million and a half for the maintenance of an armed force in Ireland which is used chiefly for evicting purposes, they would not so easily agree to the payment. It is impossible for any person who has watched the work of the Royal Irish Constabulary to ignore the fact that they are employed in the interests of the landlord classes, and when the right hon. Gentleman the Chief Secretary refrains from telling the House what are the exceptional circumstances for which they are paid, he does well, because directly the people of England find out that they have to pay for the support of these men with their rifles and bayonets—not to put down crime and outrage, not to keep the country in a state of peace and order, but simply to be at the beck and call of the landlords to hunt unfortunate people from their homes for rents which they cannot pay—they will refuse any longer to sanction the maintenance of the force for that purpose. I think the history of civilisation affords no parallel to the scandal of the maintenance of a force like the Royal Irish Constabulary for the purpose of attacking a political party of the State, and for the purpose of enabling a class which is a small minority of the population to harass and treat with injustice the rest of the people who live on the soil of Ireland. If the Chief Secretary desires to make out a case for the Vote, let him get up and tell the House what crimes have been brought to light by the Royal Irish Constabulary within the last twelve months, and how many murderers have been brought to the scaffold through the instrumentality of that Force. Thousands of pounds are, I see, put down for the Detective Department. What crimes have that Department discovered, and what outrages have they put an end to? Have they put an end to moonlighting? Have they swept crime from those portions of the country where outrage and injustice breed crime amongst the populations? No! You are going to pay a million and a half for the maintenance of a body of men who have been engaged—not in tracking murderers down, but in dragging to prison 26 of the lawfully-elected representatives of the people; for a body of men who have been engaged in dispersing political meetings at the point of the bayonet all over Ireland; for a body of men who have not hesitated, at the word of command, to dye their bayonets red with the blood of their fellow-countrymen, when the only crime committed by these men has been to denounce the miserable system of rule under which they live. When we speak of Mitchelstown, the Tories sneer and say we are never tired of talking of it. Why, if such an event had occurred in England, I venture to say it would have been a watchword for Englishmen for generations, and I predict that upon the very first occasion when an armed force of the Queen on the soil of England shoots down three English citizens for no crime except that of exercising the right of public meeting, you will have a revolution in the country which will render it impossible for such a thing to occur again, either in England or in Ireland. The only thing I regret is, that something of that kind does not occur in England, and I do not believe that even the best disposed of the English people towards Ireland really understand what we have to suffer at the hands of this military force which is called a Police Force. Mitchelstown is not an isolated case. Year after year, if you refer back to the records of the Royal Irish Constabulary, you will find they have done the same thing. I, Sir, in my very brief and short experience of public life in Ireland, can enumerate half-a-dozen cases in which the Royal Irish Constabulary have, in interfering with political meetings, shed blood in much the same way as they did at Mitchelstown. I remember a case at Ballyragget, in County Kilkenny, where a man was done to death by the police—where, when he was flying be-

fore them, they were not satisfied with merely pursuing him, but they stabbed him through and through the back with their bayonets. I remember when the police fired into a crowd of children at Belmullet, and wounded several of them. And these are the men for whom the Committee are to day asked to vote money! These are the men described by the Chief Secretary as the pick of the Irish population, but who really resemble those bravos and free lances who will, for the sake of money, carry war into the land of any unoffending people. I say it is not in the nature or in the hearts of the Irish people to have a dislike, a loathing, and a distrust such as they have for the Royal Irish Constabulary unless there is good reason for it, and if the police of Ireland are unpopular they have earned that unpopularity by the course of conduct which they have pursued. I, for one, would never allow this Vote to pass in the House of Commons without entering my most sincere and emphatic protest against a system whereby a real Police Force is denied to Ireland. I will never consent to Vote a single halfpenny for the continuance in Ireland of this military body merely for the purpose of supporting and sustaining the landlord class. I challenge the Solicitor General for Ireland to get up here and state upon what occasion the police in Ireland were ever brought to task for exceeding their duty, and upon what occasion they were ever brought to justice when they shed the blood of innocent persons. I know of no such occasion. I know of coroners' juries composed of conscientious and God fearing men who have deliberately set themselves to find out the truth in these cases, and who have brought verdicts of wilful murder against the police. This was done in the case of Mitchelstown, and in that of Ballyragget, as well as in other cases. But what was the result? After such a verdict has been returned, I have seen the police officers, against whom these verdicts were returned, walking up and down the public streets smoking pipes and laughing in scorn and derision at the peasantry, who were so foolish as to imagine that a policeman, whatever his grade, would be made amenable to the law. I complain that not only have you never punished these men, but you have never even gratified that craving for justice among the people by giving them even an inquiry into the conduct of the police on these occasions. You take no pains to show that the police would not be allowed to exceed their duty, and can any Englishman wonder if the people of Ireland believe that the police will be held blameless no matter what they may do, no matter what crimes they perpetrate? Can it be wondered at that the Irish people believe this when they see these outrages committed by the police, and when they see no attempt made by the Government to punish even the most flagrant offenders? Does the right hon. Gentleman the Chief Secretary, with all this knowledge, think he is going to conciliate Ireland and disarm opposition when he gets up, and, instead of offering some hopes that justice may be done, or that an inquiry will be instituted, he deliberately and in a sneaking manner tells us that this force of men, whose hands are dyed with the blood of innocent people, and are hardly free from the blood of one of our own colleagues in this House, comprises the pick of the Irish population? I am quite certain that the result of this Debate will be to show the Irish people more clearly than ever that it is impossible to get any real appreciation of Irish grievances and Irish wrongs from Members of the present Government. It may be said it is a proper thing to give instances of police insult and interference in Ireland. Now, in my seven years' experience as a Member of this House, I have some knowledge of the Force, and I venture to say I have never spent a month in Ireland without repeatedly being the subject of insult from these men. It would be difficult to make Englishmen believe the unwarrantable manner in which Irish policemen intrude themselves into private dwellings, and order the people, without the slightest authority, to disperse. I remember that in conjunction with my hon. Friend the Member for the College Green Division of Dublin, I some time ago attended a meeting in the County of Wexford which was called to protest against the action of the Government in instituting certain proceedings which subsequently they were obliged to forego because they were miserably beaten. While the people were as-

sembled, two policemen came up and ordered the meeting to disperse. They had not the slightest authority to do so, and it was only at the solicitation of my hon. Friend and myself that the people went away quietly and no disturbance occurred. I believe that nine-tenths of the collisions which occur between the police and the people are caused by the unwarrantable interference of the police with the people when they have no legal right to interfere. Now I come to the circumstances connected with the arrest of the hon. Member for North-East Cork, and I want to ask the Solicitor General for Ireland to explain the statement which he made in defending the conduct of the police in firing from the train at the crowd on Charlesville railway platform. He said that the crowd fired at the train, but he gave us no proof of the statement; and I say that there was never a more scandalous trick, or a more disgraceful piece of Parliamentary tactics intended to prejudice our case. I challenge him now to produce his proof, and I want to know will he grant an inquiry into what took place on this occasion. We maintain that the police acted in a most reprehensible manner in firing upon an unarmed crowd of inoffensive people, and I should like to know what can be the objection to the institution of an inquiry. I suppose the Government think that it might damp the ardour of the police if they granted an investigation into circumstances such as these, and that if the force received another telegram, "Do not hesitate to shoot," they might not fire so readily if they had reason to fear that an investigation would follow upon their conduct. I, therefore, fully expect that the right hon. Gentleman will refuse to grant an inquiry. I suppose he will refuse to believe the statement of the case which the Member for North-East Cork has seriously made to this House, and I suppose at the same time, while refusing to believe what the Irish Members say, and to grant the inquiry asked for, he will continue to eulogise the Constabulary Force.

*Mr. T. W. RUSSELL (Tyrone, S.): There are things upon which the Committee ought to have explanations from the Chief Secretary. We have discussed on two occasions, first, the attack upon the Member for North Monaghan, and secondly, what is called the Charleville incident; but on both occasions the discussion took place with little or no official information. The time has now come when information must be in the hands of the Government, and the Committee ought to have it. I am one of those who believe that the police have not always been well handled, and that on several critical occasions they have been badly handled. So strongly do I feel it that if the hon. Member moves for an inquiry I will vote for it. There is another thing which the Government ought to grant. A complaint is made that the Irish police are not numbered. They are numbered in Dublin, Belfast and Cork. I do not see why they should not be numbered in every part of the country. Having said these two things, I will also say that I will be no party to any general attack upon the police, who have done their duty in difficult circumstances and, all things considered, fairly well. An hon. Member has said that the police are present at evictions for private purposes, and that the landlords ought to pay for their services. Why are the police present at evictions? I am old enough to remember that evictions used to be carried out without the presence of the police, or when they were present in very different numbers. But hon. Members below the Gangway have been advising the people for two or three years back to resist evictions, to barricade their houses, and to resist the officers of the law. The sheriff goes to carry out the law, and the Executive is bound by law to protect the sheriff. Hon. Members below the Gangway know well that the Government are bound to protect the sheriff, and therefore to send the police to protect him. Let hon. Members stop their illegal acts and the Government will not send the police.

An hon. MEMBER: Stop the evictions.

*MR. T. W. RUSSELL: Let the tenants pay their rent. The hon. Member for Donegal talks of people who have applied to the Chief Secretary for appointments, as if the hon. Member never held an appointment himself and never applied for it. I wish he had been here to listen to what I have to say.

Several MEMBERS: Do not make the charge behind his back.

*MR. T. W. RUSSELL: I would make it as freely before his face.

An hon. MEMBER: What appointment do you refer to?

*MR. T. W. RUSSELL: I will now deal with his speech.

MR. GILL: I rise to a point of order. The hon. Gentleman accused my hon. Friend of having held a disgraceful appointment.

*MR. T. W. RUSSELL: I never said anything of the kind.

THE CHAIRMAN: Order, order! The interruption is irregular.

MR. W. REDMOND (addressing Mr. Russell): You are a coward.

*MR. T. W. RUSSELL (to the Chairman): I wish to ask if that language is in order?

THE CHAIRMAN: Did the hon. Member for North Fermanagh use the term?

MR. W. REDMOND: I used it certainly.

THE CHAIRMAN: Then I call on the hon. Member to withdraw it.

MR. W. REDMOND: On a point of order, I wish to ask if the hon. Member for South Tyrone was in order in making a statement of a most damaging character with regard to an hon. Member who is absent from this House.

THE CHAIRMAN: Order, order! The hon. Member for South Tyrone was not guilty of a breach of order. I call on the hon. Member for North Fermanagh to withdraw the words he used.

MR. W. REDMOND: Of course I bow to your ruling in the matter, but if the hon. Member likes to meet me outside I will repeat the words.

THE CHAIRMAN: The hon. Member has not made the withdrawal in a proper way.

MR. W. REDMOND: With great deference to you, Sir, I beg your pardon, but I did withdraw the expression. What I said was that I withdrew in deference to your ruling the words to which you objected, but I would be glad to have explanations with the hon. Member on the point outside.

THE CHAIRMAN: That is not a satisfactory explanation, and I call on the hon. Member to withdraw the fresh words he has used.

MR. W. REDMOND: Of course I withdraw anything you wish me to.

*MR. T. W. RUSSELL: Well, Sir, I take the hon. Member's speech. He talked of the issue of passes by the police in the county of Donegal. What were the facts with respect to the issue of these passes? After the murder of Inspector Martin the police made no effort to arrest anybody for 48 hours; but when they began the work of arrest they made up their minds that the persons wanted were within a certain area, and round that area they drew a cordon. People whom the police knew to be perfectly innocent then came to them and asked for a "bit of paper," as they called it, authorising them to pass through the cordon. The responsible police officer issued no passes except on the personal request of individuals. Another case which has been brought before the Committee was that of a policeman who was ordered out of Court on the ground that he was intoxicated. It is true that the man was ordered to leave the Court; but the Committee should have been told that two days afterwards he was sent to a lunatic asylum, where he still remains. The unfortunate man was not drunk when he appeared in Court, but was becoming insane. Another instance of police brutality that has been brought before us is that of a constable telling some excited man at Clonmel Station to go to the devil. Then we had the old story served up to us about Widow Coyle's ducks. We have heard of these ducks all through the Session, and now we are told that they are going to rise and condemn us at the General Election. I think the police were badly handled on the occasion of Father M'Fadden's arrest; but I maintain that, with that exception, they have all through this Donegal business acted with great prudence, caution, and moderation. The hon. Member for the Ilkeston Division of Derbyshire (Sir W. Foster) complained that when he visited the County of Limerick he was "shadowed" by five or six policemen. I think that was a regrettable incident, and I am very sorry that it should have taken place; but there is something still more regrettable—namely, that some English Members of Parliament should have gone to disturbed districts in Ireland and assisted the people to defy the law. If English Members, weighted with their Parliamentary responsibility, aid the people to defy the law, they must not complain

if the police think it necessary to "shadow" them. I regret that it should have been necessary to "shadow" any Member of Parliament; but, in the circumstances, I cannot blame the police. There are people who can go through Ireland from end to end without being "shadowed." I will tell the Committee why.

MR. E. HARRINGTON (Kerry, W.): Because they libel other Irish Members.

THE CHAIRMAN: Order, order! The observation of the hon. Member is very disorderly. I must beg him to restrain himself.

MR. E. HARRINGTON: I was merely saying that they are able to do it because they libel other Irish Members.

THE CHAIRMAN: The hon. Member is not entitled to make such an observation.

*MR. T. W. RUSSELL: The reason is that the police have no cause to shadow them because they go to Ireland with no intention to rouse ill-feeling, and do not advise the people to defy and break the law. I maintain that any English Member of Parliament who keeps within the law can travel from end to end of Ireland and need not fear the smallest interference from any policeman.

*MR. SHAW LEFEVRE (Bradford, Central): The Debate has turned upon two very distinct questions, one being the purely economical question raised by my right hon. Friend the Member for Wolverhampton (Mr. Fowler), and the other the question raised by the hon. Member below the Gangway. With regard to the economical question, my right hon. Friend pointed out that, although in London there are 1,500 more police than in Ireland with about the same population, the actual cost of the police is in Ireland £200,000 more than in London. These figures are, I think, very striking indeed, and deserve the most serious attention of the Committee and the country. The right hon. Gentleman the Chief Secretary in his speech resorted again to the old *tu quoque* argument. I am ready to admit that under the present administrative system in Ireland it would be extremely difficult for any Chief Secretary to make any serious change in the emoluments of the police. As long as the existing system is maintained the good will of the police force will be so necessary to the Government that no Chief Secretary would dare to incur the unpopularity of that body. But this is really only another argument against our whole system of administration in Ireland. Assuming, however, that the emoluments of the police must remain unaltered, is it absolutely necessary that the force should be maintained at its present strength? Ireland is a very poor agricultural country, and the part of the United Kingdom which can best be compared with it is Wales. Now, Wales has a population of 1,350,000 and only 900 policemen. If the same proportion were observed in Ireland her Police Force would number 3,150 instead of 14,500. The Police Force of Ireland relatively to her population is therefore four times as large as that of Wales. Nobody can fail in Ireland to note the superabundance of policemen. At every railway station there are two constables, and for their presence no one had ever been able to give me a satisfactory explanation. Another way in which the police are employed was in dogging the steps of the leaders of the Nationalists in rural districts. This very day I have received a letter from a leading tradesman in Castlereagh who complains that for months past he has been constantly pursued by two constables. I believe that the object of this surveillance is to prevent him from attending any meeting of the local Leagues, but he says that it is absolutely futile, for he can always evade the men who are watching him when he wishes. Then there is the question of the "shadowing" of Members of Parliament and other gentlemen who go over to Ireland from this country. Last autumn I complained myself in the House of having been shadowed by the police wherever I went, and the right hon. Gentleman the Chief Secretary did not deny it, but justified it by saying that if I went to Ireland again with the same object probably the same course would be followed. It is an indignity to Members of Parliament, dishonourable to the Government, and altogether unconstitutional for the police to dog them in this way when they have committed no offence whatever. I willingly admit that the Constabulary are often placed in a position of great difficulty and responsibility, and that at times

they no doubt receive considerable provocation; but, even making every allowance for them, it is impossible not to see that in the last few months there has been a considerable increase of roughness and brutality on their part towards the people. Even the hon. Member for South Tyrone has said that the police have not always of late been very well handled. We have not yet heard from the Government any defence as to the incidents at Cork and Charleville; but the action of the police on those occasions appears to have been extremely rough and brutal, and calculated to provoke a conflict with the people. Again, on the occasion of the removal of Dr. Tanner from Tipperary to Clonmel, the people who cheered Dr. Tanner were immediately attacked by the police. 20 persons being batoned by them and seriously injured. There is practically no redress for injuries of that kind. If an appeal is made to the Magistrates by the sufferers, the story told by the police is taken as gospel, and the evidence of any number of respectable persons on the other side is disbelieved and rejected. The Chief Secretary himself has repeatedly spoken of attempts to disparage the statements of the police as gross calumnies. In the case of Denis Healy, who was charged with being present at a League meeting, the two Resident Magistrates ignored all the evidence for the defence, and sentenced the accused to six months' imprisonment with hard labour—a punishment very harsh and excessive, even if the offence charged had been fully proved. In another recent instance three men were charged with stoning the police on their return from an eviction on the Ponsonby estate. There was not a scrap of evidence to show that the accused men had thrown stones, and the Magistrates said the only doubt arose from none of the police having actually seen the men throw stones, but they were convinced the men were in the row, and they must give bail for their good behaviour or go to gaol for three months. I have no doubt that it is the line taken by the Chief Secretary in this House when complaints are made of such matters which gives the cue to the Resident Magistrates. The Constabulary Force is in the position of a kind of Prætorian guard in Ireland, and the Government dare not interfere with it or with its emoluments from the fear of weakening its authority. It appears to me that the present position of things as regards the police is indefensible and deserves the most serious consideration of this House; and for my part I cannot conclude without condemning the action of the police and the conduct of the right hon. Gentleman in this House.

*MR. A. J. BALFOUR: The right hon. Gentleman who has just sat down has told the House that he is quite certain that I have to defend a great many things which I should be very reluctant to defend under any other circumstances. But I can assure the right hon. Gentleman that however that may be I have no reluctance, and that I feel no disinclination in defending the character of the Irish Constabulary. As I have said before, I believe the Irish Constabulary have shown themselves throughout circumstances of the most difficult and trying character, a Police Force of which any country might be proud, and which I believe to be superior to the Police Force which exists in any other country in the world. Now, the right hon. Gentleman the Member for Bradford has for some reason or other I do not know what, been left to lead the Opposition in their attack upon the Government in the matter of the Irish Constabulary. I have watched with amazement the condition of the House above the Gangway opposite, during a considerable portion of the evening, and I noticed that while two important speeches were being delivered, that the solitary occupant of those benches was an hon. Gentleman whose name I do not know, but who was fast asleep. Not a single Member on the Front Opposition Bench was present. When I reflect that on the Front Opposition Bench usually sit two Gentlemen who have held the office of Irish Secretary, I really cannot conceive why the Leadership of the Opposition was left to the right hon. Gentleman whose only connection with Ireland has been that he refused on a critical occasion to accept the office of Irish Secretary. Now I do not propose to go at length through certain parts of the speeches delivered from below the Gangway opposite. I do not complain of the tone of those speeches; they are, as compared

with what we have heard in previous years, moderate and reasonable. Hon. Members will forgive me if I do not go at length into some of the wonderful fictions we have heard to-night—such as that we heard from the hon. Member for South Armagh (Mr. Blane) who told us that the police were habitually occupied in the part of the country with which he was acquainted in getting up crimes, in writing threatening letters partly in their own hands and partly by deputy, all for the purpose of increasing the number of their body who are required to preserve peace and order. Well, I think that is a kind of accusation I may be forgiven for passing by without further comment. There have been a good many vague attacks against the police made, sometimes without name, date, or place being given, sometimes without sufficient details to enable the truth of the matter to be found, and sometimes at such short notice that it is impossible for anyone who holds the position of Chief Secretary to find out the true version of the story which it has pleased hon. Gentlemen in the full glow of their eloquence to present to the House. But I propose to deal with most of the specific points which have been raised, and the first of these has reference to the actual number of men in the Constabulary Force. It has been said by various speakers, and it has been repeated by the right hon. Gentleman the Member for Bradford, that the number of the police in Ireland is totally disproportionate to the population. Well, in the remarks I made earlier in the evening, I pointed out that the cost of the Irish Force is not at all extravagant, as compared with the cost of the Metropolitan Police; but with regard to the actual numbers of the police I am surprised that the right hon. Gentleman has joined in the attack on this point, because at the present time the number of the police is smaller than it was in 1869 and in 1870, when crime was at an extremely low point in Ireland. It is very much less than it was in 1882 when the right hon. Gentleman was in Office, and it is exactly at the same point as it was when the right hon. Gentleman the Member for Mid Lothian was the Leader of a Government which brought in a Home Rule Bill. In 1870 there were 13,200 police in Ireland; in 1882 the number rose to 14,800, and it has now sunk again to a little over 12,000, which is the figure at which it stood at the introduction of the Home Rule Bill. If hon. Gentlemen, therefore, complain of the number of police in Ireland I hope they will not fall into the mistake of the hon. Member for Bristol and attribute the numbers to Conservative as opposed to Liberal policy. It has nothing to do with either. Both Liberal and Conservative Governments have felt it to be absolutely necessary to keep the police very much up to the present figures; and the highest number ever reached under any Government was in 1882, not under a Conservative, but under a Liberal Government. I hope hon. Gentlemen who have taken the trouble to study the Estimates have noticed the fact that whereas the two most important augmentations in the present year's Vote have been due to the automatic action of Acts of Parliament, which prescribe the amount of pay and pension, the two greatest diminutions in the Vote have been due clearly to the improved state of the country. While the augmentations are due to certain Acts of Parliament, for which the Liberal Government and not the present Government are responsible, the diminutions are due to a decrease in the transport of constabulary from one part of the country to another, and to other causes which are directly traceable to the improved state of the country, Passing from these more general accusations to certain specific accusations brought against members of the Constabulary Force, I will first deal with the statement of the hon. Member for South Glamorgan, with regard to the evidence given by a policeman of the name of Robinson in the case of two hon. Members of the House, recently brought before a Court under the Crimes Act for speeches alleged to have been delivered in furtherance of the Plan of Campaign. The hon. Member appeared to think that this case was a most remarkable illustration of the wickedness of the present Irish administration. I confess I could not entirely follow the hon. Gentleman in his reasoning on this point. It appears that the two Members

in question were acquitted, so that the monstrous proceedings of an Irish Court of Justice are in the mind of the hon. Member for South Glamorgan (Mr. S. J. Williams) illustrated by the fact that the two Gentlemen were not found guilty of the offence with which they were charged ["Deal with the policeman!"] I am dealing with the argument of the hon. Member in the order in which he developed it, and though it may not be pleasing to hon. Gentlemen opposite I am justified in so doing. As far as I understand the case, which the hon. Member has taken some trouble to inquire into, the Magistrates were of opinion that the constable's evidence was not trustworthy, and that the report, which he stated to the Court was one he had derived from listening to the speeches, was not, in their opinion, a trustworthy reproduction of the notes taken by that constable on the spot. I quite admit, if that is any consolation to hon. Gentlemen, that this was a grave accusation to bring against the constable, but what has not been sufficiently dwelt upon by hon. Members opposite is that the speeches, according to the *Freeman's Journal*, were actually delivered, and that the account given of them in Court was not inaccurate; so that in all probability, if that account had been supported by evidence of which the Court could have taken cognizance, the hon. Members in question would have been found guilty. The hon. Members themselves will not deny that.

MR. GILL: The right hon. Gentleman has entirely mis-stated the facts of the case.

*MR. A. J. BALFOUR: Very well; the hon. Member will have an opportunity of explaining. It is said that the constable, instead of trusting to his long-hand notes of the speeches made, doctored them up from the report in the *Freeman's Journal*. But it has not yet been denied that the speeches were delivered as reported in the *Freeman's Journal*. Of course, the fact that they were reported in the public Press is not legal evidence; but if those reports were accurate, it is sufficient ground for thinking that the hon. Members were guilty of the offence charged against them.

MR. GILL: The right hon. Gentleman has entirely overlooked the point, which is, that this policeman in Court swore that the notes of the speech which he read out were taken verbatim at the meeting, and that what was produced was a transcript of those notes, whereas it was proved in Court that this was a perjured statement, and that the policeman had copied the speech from extracts here and there in the *Freeman's Journal*. He was guilty of perjury.

*MR. A. J. BALFOUR: The hon. Member was one of the two Members accused on this occasion, and after his explanation, I suppose it now may be taken that the hon. Gentleman did deliver the speech, as reported in the *Freeman's Journal?*

MR. GILL: On this point of personal explanation, may I say that I do not rise to explain my position before the House. I have been tried before the Court, and I am prepared to defend my position on any proper occasion. The question before the Committee is the conduct of this policeman, and the object of my interruption was to correct the mis-statement of the right hon. Gentleman.

*MR. A. J. BALFOUR: The hon. Gentleman is very good. I quite understand the point of accusation against the policeman, and it is as the hon. Gentleman has stated it. But what I wish to point out, in answer to the hon. Member for South Glamorgan, who adduced this incident in proof of the iniquities of the administration of the Law in Ireland ["No, no,"] and that the police were improperly employed.

AN HON. MEMBER: The hon. Member was called to order for alluding to the administration of the Law.

THE CHAIRMAN: No doubt the hon. Member for South Glamorgan was called to order, but he was somewhat persistent in spite of that. The right hon. Gentleman is not repeating that offence.

*MR. A. J. BALFOUR: I will assume for the sake of argument—I am sorry that this interruption may destroy the continuity of the record of what I am saying—that the policeman doctored the long-hand notes which he took with the help of the *Freeman's Journal;* that the report of the *Freeman's Journal* was accurate; and that

if the report was accurate the recollection of the policeman was substantially accurate also, and that the two hon. Gentlemen were presumably guilty of the offence charged against them.

MR. GILL: I am sorry again to have to interrupt the hon. Gentleman on a personal matter, but I really would submit it is most unfair that the right hon. Gentleman should be placing on Irish Members the necessity of defending a position which they have already had to defend in a Court of Law, instead of arguing the point before the Committee, going off into extraneous personal matter to which I submit he has no right to allude in this manner.

THE CHAIRMAN: The hon. Member is not called upon to make any statement. The question is simply as to the evidence produced.

*MR. A. J. BALFOUR: I was explaining the relation which the evidence of the policeman had to the broad equities of the case, as brought before the Committee by the hon. Member for South Glamorgan. This was the case which, in the opinion of the hon. Member, "threw a lurid light upon the Administration of the law in Ireland." This was the hon. Member's sole case; it was his standing example of the iniquities of the Irish Administration. It was a case in which a policeman grossly transgressed his duty ["Perjurer." "Was he punished?"], in which the evidence was so carefully sifted by the Magistrates that it was rejected, and the two hon. Members were acquitted; yet in which it is not denied that they were guilty, and yet we are told by a Welsh Member that this is a typical example of the iniquity of the administration of the law in Ireland as carried out by Magistrates and Policemen.

MR. ARTHUR WILLIAMS: I am sorry I have not heard the whole of the right hon. Gentleman's speech, but I must disclaim the sweeping assertion of the right hon. Gentleman that I brought forward this as a typical case of the iniquity of the administration of the Law in Ireland. I brought it forward as duty impelled me, as an instance which came under my notice of the kind of evidence which appeared to prevail in Ireland.

*MR. A. J. BALFOUR: Yes, the hon. Member brought it forward as the kind of evidence that convinced a Court of Law in Ireland, but as a matter of fact the evidence did not convince the Court of Law. The hon. Gentleman was not, unfortunately, in the House when I began, but certainly he told us in a strain of rich poetical metaphor that this case threw a lurid light over the administration of the Law in Ireland. I am certain he will not disclaim the phrase; indeed, I thought he seemed rather proud of it. Now, when the hon. Member speaks of a case "throwing a lurid light" I conceive that in my mild and more prosaic language I do not misrepresent him when I describe it as a typical example. And now I pass to the various incidents connected with the arrest of the hon. Member for North-East Cork. The hon. Member for Louth has attacked me because the hon. Member has been prevented from being present in the House this evening. Now, for my part, I have taken great pains to secure the attendance of the hon. Member this evening. As soon as I heard that the trial was to take place on Thursday I wrote to the Attorney General for Ireland saying that after what had passed in the House I thought that the case should be postponed. I believe that telegrams were also sent to the hon. Member himself and to his solicitor saying that the case had been postponed.

MR. CHANCE: I am the hon. Member's solicitor, and I got no telegram up to 7 o'clock.

MR. GILL: I went to the train with the hon. Member at 8 o'clock last night, and he had received no communication then.

*MR. A. J. BALFOUR: The hon. Member for North-East Cork only arrived this evening in Ireland. In any case telegrams were sent. As soon as I heard that the trial was to be on Thursday, I took what steps I could not only to have the trial postponed, but to have the hon. Member informed that the trial was to be postponed. Besides, there is no reason why the hon. Member should have left London last night even if the trial were not postponed. He might have been at the trial on Thursday, and yet be in the House during the course of the present Debate.

Mr. W. REDMOND: The right hon. Gentleman is mistaken in the fact.

THE CHAIRMAN: Corrections of fact are not points of order. The hon. Member may make his statement later; he is not entitled to interrupt now.

*MR. A. J. BALFOUR: I am sorry the hon. Member for North-East Cork is not here, and pass from what after all is not material to the main issues before us. It has been asked why procedure against the hon. Member was taken by arrest instead of by summons. I greatly prefer procedure by summons, and I have done my best, and shall do my best to continue the procedure by summons; but it is perfectly impossible for the Irish Government to give effect to the practice if hon. Members choose to disobey the summons, or, as the hon. Member for North-East Cork has done, escape from the Court after he has nominally obeyed the summons, and career about the country making speeches. [Cries of "Manchester."] I have no objection in the abstract to speeches by the hon. Member, whether made in Manchester or anywhere else; but if the hon. Member is going to take advantage of procedure by summons instead of by arrest to disobey the summons and to make speeches, it does not lie in the mouth of the hon. Member nor in the mouths of his friends to complain of the Government if they abandon process by summons and adopt that by arrest. But it is well known that Mr. O'Brien is not the greatest sinner in this respect. There are other hon. Members who have been proceeded against by summons, and who have simply regarded the summons as an indication that their business was to evade arrest by the police and career about the country. It is in connection with this arrest that the terms "recklessness" and "brutality" have been used about the police, and that the injuries were inflicted which are said to have been inflicted, and which I have no doubt were inflicted on the hon. Member for Monaghan, though I have no official information on the subject. I have no official knowledge on the subject, but, as far as I recollect, what happened was this. There was a considerable crowd collected at the station to meet the Member for North-East Cork. One hon. Member has said that nobody knew that the Member for East-Cork was going to be arrested, and that therefore the crowd could only have been collected to welcome him. That may be perfectly true; but does it follow that when the hon. Member was arrested this crowd assembled to welcome him would not attempt to rescue him? What happened was this. The crowd surged forward. The officer in charge of the police gave the order to draw back in preparation for a charge. After that order he was himself driven by the advancing crowd against the railway carriage. The officer, therefore, could take no further part for the moment in the proceedings, and the police very properly charged against the crowd to prevent further conflict. Whether it was in the course of that *mêlée* that the Member for Monaghan (Mr. P. O'Brien) was injured I do not know. [*Cries of* "You ought to know."] I am told I ought to know. From what source? [*Cries of* "The Police."] The police probably did not know the Member for Monaghan by sight. The police cannot be expected to give information of a person of whom they very likely knew nothing. The police do not know at this moment at what period of the day's proceedings the Member for Monaghan was injured, and I do not know myself. The only information I have is from the speeches of Members opposite or the reports of the Nationalist newspapers. I should deeply regret if the injuries of the hon. Member were of a serious character. I know the hon. Member for Monaghan was unfortunately not able to be present at an interesting trial the other day. But, although the hon. Gentleman was not present at that trial, he was present at a demonstration on Sunday, and walked for two hours in the garden of the hon. Member for Cork. On Monday also he went to a neighbouring town; on Tuesday went to the fireworks; and on Wednesday morning went to the steps of the court-house to see whether his case was coming on. If, then, on Thursday he found himself so unwell that he was prevented from subjecting himself to cross-examination in court on Friday, there is some hope that his illness is not wholly due to the injuries which he received at the railway station. Now I come to the incident at Charleville. The first point I have to note is the statement that the mob at

Charleville, collected at the station, could not have known that the hon. Member for North-East Cork was in the train and had been arrested. It is asserted that the crowd had assembled to welcome the Members who had gone to take part in the deputation at Cork. I give no opinion as to whether the crowd knew that the hon. Member for North-East Cork was in the train or not; but I wish to point out that there was no obstacle to their knowing. It is said that the telegraph office at Charleville was shut at ten o'clock in the morning; but everybody must be aware that if a telegraph clerk was in attendance—and I believe a clerk was on the spot—there would have been no difficulty in tapping the wires and finding out what messages were being sent. There was no difficulty in ascertaining whether the hon. Member had been arrested. Whether that information was obtained or not I do know, nor is it material to the case. What is material is that at the station there had assembled a large, disorderly, and excited mob, who showed every disposition to rescue the Member for North-East Cork, and might very likely have rescued him if they had not been prevented by the police. The hon. Member for Louth has stated that all that was collected at Charleville Station was a little group of band-boys who wanted to shake hands with the hon. Member. I would ask hon. Members to study their own Nationalist newspapers. The *Cork Examiner* states that on the arrival of the hon. Member there was a tremendous crowd with a band playing "God save Ireland"; that the people were wild with excitement, wanting to get Mr. O'Brien out of the train; that the police fired, but the people showed determination and dared the police to come out and fight. I admit that is not conclusive evidence on the whole case, but it is conclusive against the contention of the hon. Member for Louth that all that was collected was "a little group of band boys wanting to shake hands with the hon. Member for North-East Cork." Let the Committee compare the magnitude which these incidents take as represented by the Nationalist Press in Ireland, which wishes to excite the people, with the magnitude they bear in the speeches of hon. Gentlemen opposite who wish to reassure the English public. In that comparison the Committee will find the whole secret of the method adopted by hon. Gentlemen opposite when they are dealing with Irish questions before the English constituencies. The hon. Member for North-East Cork gave an account of the Charleville incident as it appeared to him. It is absolutely impossible to reconcile the story as told by the hon. Member with the story as I have received it from the various police officials concerned. But I feel sure that the inaccuracy is not wholly on the side of the police officials. If we could have taken the account of the hon. Member for North-East Cork, which I have not the least doubt was delivered with his ordinary good faith, we should have been led to believe that no injury whatever was done on that occasion to District Inspector Concannon except a slight dent on his helmet. As a matter of fact, that gentleman received a severe blow on the head and his left arm was so seriously injured that he was threatened with the permanent loss of it, and prevented from attending duty for, I think, a fortnight. There has been some conflict of evidence as to whether the crowd fired or not. If, however, it be true, as the Nationalist journals assert, that there was at Charleville on the arrival of the hon. Member a tremendous crowd, wild with excitement, waiting to get at the hon. Member, and desiring to fight the police, I think that even if the police, a small body of men, six in one carriage and about six in another, showed undue excitement in the matter, their action ought not to be seriously condemned by any man who realizes the situation in which they were placed. For my own part I regret that it should even be found necessary for any officer of the Irish Constabulary to use any weapon of any sort or kind. I think it would be far better that they should, where it is possible, confine their energies to directing their men; but that I am to bring an accusation against these gentlemen on the facts presented to me, even in the Nationalist journals themselves, is a course which I for one absolutely decline to take.

MR. J. E. ELLIS: Were orders to fire given by the officer in charge?

*MR. A. J. BALFOUR: I believe they were. Now, Sir, I pass from that. Two hon. Members, the hon. Member for the Ilkeston Division of Derbyshire (Sir W. Foster) and the right hon. Member for Bradford (Mr. Shaw Lefevre) have complained that when they went to Ireland they were shadowed by the police. Well, I am very sorry any hon. Member should be subjected to inconvenience, and if the Irish Constabulary knew the right hon. Member for Bradford as well as I do I am certain they would never take the trouble to shadow him. But the right hon. Gentleman must recollect that everybody is not as innocuous as he is, and there have been cases where Members of this House have gone to places where an illegal conspiracy was in existence, amd have been known to sympathise with it and to do their best to propagate and promote it, and under such circumstances the police would not be doing their duty if they did not watch the movements of those hon. Members. In watching the hon. Member for Ilkeston, who was going to look at houses which had been barricaded in order to resist the officers of the law, the police might have made a mistake, but I cannot say it was a very blameworthy one if they thought the hon. Gentleman was a person who sympathised with such proceedings. I suppose they thought the hon. Gentleman looked a suspicious character. I think they were mistaken.

MR. SHAW LEFEVRE: May I remind the right hon. Gentleman that he said at the time if I went there again I should be treated in the same way.

*MR. BALFOUR: I do not think I could have said that. I must have overrated the right hon. Gentleman's importance at the time. The hon. Member for Donegal has raised a question with reference to the action of the police in regard to the battering ram. The battering ram has been a fruitful topic for the hon. Member, and I am the last person who would desire to destroy the hon. Member's monopoly, but I must inform him that the reason the battering ram does not appear in the Estimates is that it has not been paid for out of Public Funds.

MR. MAC NEILL: On April 15, 1889, the right hon. Gentleman said that if there were any cost at all it would fall upon Public Funds and would appear in the Estimates. On April 16, the right hon. Gentleman's legal adviser, the Solicitor General for Ireland, was able to inform the House that the cost of the battering ram was £48 18s. 2½d. There has, therefore, been a cost. Where does it come from?

*MR. A. J. BALFOUR: The hon. Member has entirely misapprehended my answer. Of course, if the taxpayers were asked for the money it would appear on the Estimates, but if they were not asked to pay it would not appear.

MR. MAC NEILL: Will the right hon. Gentleman give me an English answer? Once for all, who pays for it?

*MR. A. J. BALFOUR: The only question the hon. Gentleman has a right to ask me is whether the Government do or do not pay for it.

MR. MAC NEILL: You said that it would be paid for out of public funds.

*MR. A. J. BALFOUR: The hon. Member is entirely mistaken on that point. I am perfectly ready, however, to defend the use of the ram, although its cost does not appear on the Estimates. It is unnecessary to go further than the Donegal evictions to see the enormous advantage which the ram was to the people themselves, if to no one else. The use of any instrument which shortens the painful scenes which hon. Gentlemen think it right to get up at the time of evictions is of immense benefit to all concerned. The *Freeman's Journal* gives an account of the scene at an eviction on the Olphert estate which happened before the use of the implement so dear to the heart of the hon. Member for Donegal. The account states that the house was prepared for attack, the doors and windows being removed and obstructions erected. When the emergency men rushed forward with crowbars to remove the obstruction, the men in the house opened a fusilade of stones upon them from the windows, encouraged, and perhaps directed, by the shouts in Irish of their

friends on the neighbouring mountains, and drove the attackers away. The emergency men again rushed forward and succeeded in pushing down the first obstruction at the entrance, but found a second. Then the slates were knocked off immediately above their heads, and these dangerous missiles came down in such a shower about their ears that they were driven back, to the frantic delight of the crowd and the evident gratification of the besieged. After several hours' fighting the besieged garrison only surrendered when the military were about to fire. Had the surrender been delayed a moment or the order to fire hastily given there might have been heavy loss of life. That, Sir, was the kind of eviction that went on upon the Olphert estate before the battering-ram was used. Now, in the later evictions, no less than eight evictions have been made by the same party in a day, although every preparation has been made for resistance, owing to the mere fact that the battering-ram was present. The battering-ram has been present, but not used on many occasions, and it has only been actually used two or three times in the whole of Ireland. The mere fact of its being known that it is there causes the resistance to be brought to summary termination. I am prepared to defend the use of the instrument on any platform in England. In the interests of humanity alone we are bound to use every legitimate method of terminating as rapidly as possible those painful scenes which it is the policy of hon. Gentleman opposite to get up. They have said that the police are at the beck and call of the landlords for the purpose of exacting unjust rents, and that they are used, not in the interests of law, but in the interests of a class. I entirely deny it. The police are bound to protect the officers of the law in the execution of their duty, whether the debt is due to a landlord or a tradesman, and that duty the Government will fulfil so long as I have anything to do with it, whether the creditor be a tradesman or a man whose rights, hon. Gentlemen think they may sweep aside because he is a member of an unpopular minority.

Mr. A. J. Balfour

One hon. Member said that the police of Ireland were being used to buttress up the property of the few. Does the hon. Member think the property of the few is less sacred than the property of the many? Does he think that because a man belongs to a class whom it suits a certain set of politicians to attack that, therefore, he is to be deprived of the elementary rights of citizenship? That is not the theory of the Government. We mean to protect the officers of the law in carrying out their duties for the exaction of debts, which the Legislature has taken every possible precaution shall not be unjust. It is asked, in reference to the Ponsonby Estate, "Are you going to lend the forces of the Crown to exact rents which would be cut down by the Land Courts?" But the offer of the owners of the Ponsonby estate was that every tenant should have the right to go into the Land Courts. [Several hon. MEMBERS: "No, not the evicted tenants."] Yes, the evicted tenants. And as to tenants in possession, the owners have offered to every tenant liberty to go into Court to have a fair rent fixed, and, if reductions are made, to make them retrospective with regard to arrears. Terms at once more just and more liberal could hardly be offered by any landlord. Members below the Gangway would lead the House and the country to believe that there was profound discord between the police and the people of Ireland. This is wholly incorrect. During the last two years the tendency of events has been towards bridging over the separation and diminishing the difference which had heretofore existed between police and people. There never was a period within the last ten years in which the people and the police were on better terms than now. That improvement has been continuous. Hon. Gentlemen know it, and if they will only cease from their peculiar methods of pacification, I will undertake to say that in the course of a comparatively brief period the relations between the police and the people will be as cordial as the relations between any people and police on the face of the globe; and inquiry into facts will show that, in circumstances which would have tried the temper and the judgment of the wisest men, the Irish Police have shown themselves, as I

think, superior to any force of whose doings we have any authentic record.

MR. MACNEILL: I am sorry to interrupt the Debate with reference to a personal matter, but remembering that if you give a falsehood 24 hours' start you cannot overtake it, and hearing that the hon. Member for South Tyrone has during my absence, and without having given me the slightest intimation of his intention, stated that I, having obtained one Government office, had applied for another—

*MR. T. W. RUSSELL: No.

MR. MACNEILL: What did you say, then?

THE CHAIRMAN: Order, order!

*MR. T. W. RUSSELL: What I did say is in the recollection of the House. I was referring to those observations in the speech of the hon. Member for South Donegal in which the hon. Member said that those present at the Liberal Unionist Banquet to the right hon. Gentleman opposite had since applied for appointments. It was then I asked. Has the hon. Member never held a public appointment himself?

Several hon. MEMBERS: Government.

*MR. T. W. RUSSELL: I never said "Government."

MR. W. REDMOND: You did.

THE CHAIRMAN: The hon. Member for North Fermanagh has used an expression quite unparliamentary, and must withdraw it unequivocably.

MR. W. REDMOND: I am not quite sure, Sir, what it is I am to withdraw.

THE CHAIRMAN: Does the hon. Member mean that he does not understand me?

MR. W. REDMOND: Yes, Sir.

THE CHAIRMAN: He has flatly contradicted a statement made by the hon. Member for South Tyrone, and it is that flat contradiction he must withdraw.

MR. W. REDMOND: Will you allow me a word of explanation, Sir, and if you still think it my duty. I will withdraw anything I have said. What I meant was to correct the statement of the hon. Member for South Tyrone, who really did say in his speech that the hon. Member for South Donegal had extracted from the Lord Lieutenant a Government situation. That was what I and others understood him to say.

THE CHAIRMAN: The question of accuracy or inaccuracy of statement is nothing to the purpose. The statement made by the hon. Member for South Tyrone may have been most inaccurate; but the hon. Member for Fermanagh contradicted him flatly and committed a gross breach of the order of this House. I call upon him to withdraw.

MR. W. REDMOND: Under the circumstances you mention, Sir, that the accuracy or the inaccuracy of the statement has nothing to do with the case, I, of course, Sir, withdraw at your direction.

*MR. T. W. RUSSELL: I am sorry that I should have been interrupted in making an explanation. What I said, and said advisedly, was this: Knowing the painful feeling caused when the hon. Member brought a charge against absent Gentlemen who could not defend themselves, I simply asked whether the hon. Member had not held a public appointment himself, and whether he had not applied for it. I knew that he held such an appointment under the Benchers in the Four Courts, and I believe he had applied for it. (*Loud cries of* "Oh, oh!" and "Shame," and various interruptions.)

THE CHAIRMAN: I cannot but observe the unparliamentary conduct of hon. Gentlemen below the Gangway. Their interruptions are of the most unseemly fashion. It is impossible to identify from whom the interruptions proceed; but I do hope that some Members sitting there will endeavour to restrain their colleagues from indulging in exhibitions most derogatory to the character of this House. I think the hon. Member for West Kerry made some comment on what I have just said?

MR. E. HARRINGTON: I am quite ready to make any apology for any irregularity, if you, Sir, will only specify how I have offended.

*Mr. T. W. RUSSELL: I believe that the hon. Member for Donegal held the appointment under the Benchers, and that the Benchers derived the money with which they paid him from the public funds.

Mr. MAC NEILL: I do not think after that explanation that I need say anything.

*Mr. A. J. BALFOUR: I wish to say that in the heat of debate I used an expression towards the right hon. Gentleman opposite which was perfectly in order, but was of a kind which, I think, ought not to be used in Parliamentary debate. I desire to express my regret at having used it.

Mr. T. HARRINGTON (Dublin, Harbour): Before I proceed to deal with the speech of the right hon. Gentleman, I may be allowed to say, in reference to the unpleasant incident that has taken place, that the feeling displayed by hon. Friends near me found vent in expressions of indignation at the attempt to calumniate them by unfair insinuations. We have looked on the hon. Member for South Tyrone (Mr. T. W. Russell) as the chief calumniator, and I think the manner in which he has referred to my hon. Friend the Member for South Donegal is only a specimen of that oratory which he is in the habit of presenting to the people of England who know nothing of the case, of ourselves, or of him. But now I should like to refer to the speech we have had from the Chief Secretary for Ireland. It is a speech, of course, of which his party are proud; but all I can say is that if his party have any hopes of the Government of Ireland, any hope of tranquillizing the Irish people, and of making them accustomed to English rule, this is not the character of speech to bring about this result. If there is anything, in addition to the conduct of the Irish police, calculated to irritate Irish feelings, and to excite their natural hostility against the Government and the Government system it is such a sniggering, drivelling speech as we have listened to to-night in defence of the Government. It really was no defence; nothing more offensive to the feeling of the people, nothing more calumnious of their motives was ever offered to an intelligent assembly. In the face of the events that are passing in Ireland, in the face of the complaints that are made night after night by representatives of the Irish people as to the conduct of the police throughout Ireland, the right hon. Gentleman has either the hardihood or the folly to say that there never was a time in the history of Ireland when the feelings between the people and the police were better than they are now. If we credit the right hon. Gentleman with sincerity when he made that statement, it simply proves that he is incapable of judging the situation in Ireland, and unfit for the position he holds. Never has there been a time in the memory of any man living, when the relations between police and people have been so strained as they are at present; never has there been a time when any Government in Ireland has set itself so deliberately to work to produce these strained relations. That is not the state of things the right hon. Gentleman wishes to bring about he will say. But the policy which has hitherto been pursued by the Irish Government appears to us to be animated by the deliberate desire and intention to create bad blood between the constabulary and the people. You do not trust the people of Ireland. The Chief Secretary regards not only the Irish people but the representatives of the Irish people as liars. He treats every statement made by Irish representatives as a calumny, and such being the case it must be hypocritical to pretend that there can be happy relations between his officials and the people of whom he forms so low an estimate. The hon. Member for South Belfast will bear me out when I say that, not only under the present Government unfortunately, but for years back the policy has been to bring about a hostile feeling between the police and the people, and the officials who encourage this feeling are the most trusted. When in times past the Member for South

Belfast wished to hold a meeting of his Orange brethren to celebrate the glorious memory of which he is so proud, police were whipped up from the South of Ireland, all Catholics, because it was supposed that they would be animated by feelings of hostility towards the crowd they were intended to keep in order. The hon. Member will not deny that it has been the subject of complaint in the House.

MR. JOHNSTON (Belfast, S.): I have only to say that the statement of the hon. Member is perfectly without foundation. I have never attributed to the Government any desire to bring about a conflict between the police and the people.

MR. HARRINGTON: I must confess I am very much surprised at the innocent statement of the hon. Gentleman who, I believe, was the one who originated the phrase "Morley's Murderers." Does the hon. Member mean to say he has never referred to the police as "Liveried Assassins" and "Morley's Murderers?" Everybody knows it was so. I regret it as much as anybody else. At the beginning of his observations the Chief Secretary declared it to be a monstrous allegation that the Irish Police would have anything to do with the writing of threatening letters or getting up outrages; but the right hon. Gentleman must have very little knowledge of the country if he does not know that in many instances policemen have been convicted of such offences. The police in fact have a direct interest in the increase of the number of threatening letters, because that leads to an increase of the police in the district and an increase of the rates of that place. When it is necessary for us to do so we can justify that statement by many instances. But now I ask the Committee to consider what is the result of the defence the Chief Secretary has made on behalf of the Irish Police? and I will ask any hon. Member if, since the Chief Secretary took office, he has ever admitted any fault against the Irish Police? Irish Representatives are always liars, no matter how specific their allegations are. Their allegation is made light of, and denied by the Chief Secretary in the very same terms; and he takes every opportunity, by eulogiums, to encourage the police in similar conduct in the future. Let me take one instance of what I mean. Take the case of the man Hanlan, who was stabbed by the police at Youghal. He was stabbed by one of 32 policemen as he was running away. Obviously there was no necessity for violence, for no resistance was offered. At the inquest I represented the next-of-kin of this unfortunate man. What, on this occasion, was the conduct of the County Inspector? He refused to allow any of his men to make any statement in relation to the occurrence. How, I ask, is it possible for any people to have confidence in an Administration which allows such conduct as this? The same story was repeated at Mitchelstown, where three men were shot by the police in the public square. The right hon. Gentleman has no information of the injury inflicted by the police on my hon. Friend the Member for North Monaghan. Yet he has a system of police espionage that ought to furnish him with any information he desires. Do we not know that the extraordinary item for postage in these Estimates includes the cost of telegrams to notify the movements of Irish Members? Why, I never have to attend a trial in any part of Ireland but I receive information from official sources of cypher telegrams being sent and received by the police announcing that Harrington passed at such a time on his way to such a trial. The right hon. Gentleman boasts of the vastly improved condition of affairs in Ireland, and this at a time when Irish Members of Parliament can scarcely dare to hold a meeting of their constituents without running the risk of being batoned by the police and subsequently lodged in goal. As a matter of fact, the right hon. Gentleman is only at the beginning of the struggle.

It being midnight, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again to-morrow.

REGULATION OF RAILWAYS (No. 2) BILL. (No. 360).

Considered in Committee.

(In the Committee.)

Question proposed, "That Clause 1 stand part of the Bill."

MR. MURPHY (Dublin, St. Patrick's): Last night I put down some Amendments to this clause, but I am informed, Sir, that as you have already put the question that the clause stand part of the Bill, it is not open to me to propose them at this stage. Before we proceed further with the Bill I should like to hear the views of the President of the Board of Trade in reference to them.

*SIR MICHAEL HICKS BEACH (Bristol, W.): I have no objection to the provisoes which the hon. Member has placed on the Paper; but I think they had better be moved in the form of a new clause. They provide for what the Board of Trade seek to provide; and although I think they may be unnecessary, I can see no objection to accepting them. With regard to the proposed omissions from the first clause, I think they would injure the efficiency of the clause, and I could not agree to them.

MR. MURPHY: I think the President of the Board of Trade has met me very fairly.

Question put, and agreed to.

Clause 2 agreed to.

On Clause 3.

*SIR MICHAEL HICKS BEACH: The hon. Member for Lanarkshire has placed on the Paper an Amendment, substituting 8 hours for 12 hours in this clause; but I think it would be better not to define any particular hours in the clause, but rather to leave the number to be fixed by the Board of Trade from time to time. I think it is obvious that it would be better to have an elastic clause, because what at one time and under certain circumstances might be proper would at another time possibly be injurious to the public safety. The clause, as I propose to amend it, will read—

"Every railway company shall make to the Board of Trade periodical Returns as to the persons in the employment of the company whose duty involves the safety of trains and passengers, and who are employed for more than such number of hours at a time as may be from time to time named by the Board of Trade."

Amendment proposed, Clause 3, page 2, line 6, leave out "12" and insert "such number," and same clause, same page, line 7, after "time," insert "as may be from time to time named by the Board of Trade"—Agreed to.

*MR. CHANNING (Northampton, E.): Will the Return be made in the same form as the Return obtained by a noble Lord in another place, and will that show the intervals the men are off duty?

SIR MICHAEL HICKS BEACH: The Returns will be in the same form as those moved by Earl de la Warr in another place. I presume that will meet the views of the hon. Member.

Clause 4 agreed to.

Amendment proposed, in page 2, line 16, after "fare," insert "from the place whence he started," (*Mr. Johnston.*)—Agreed to.

Clause agreed to.

*MR. R. K. CAUSTON (Southwark): I beg to move the new clause which stands in my name. I think it speaks for itself. I do not think there can be any real opposition to the proposal, and I am only surprised such a provision was not adopted many years ago.

New clause—

"From and after the first day of January one thousand eight hundred and ninety every passenger ticket issued by any Railway Company in the United Kingdom shall bear upon its face, printed in legible characters, the fare chargeable for the journey for which such ticket is issued; and any Railway Company issuing any passenger ticket which does not bear upon its face the fare chargeable as aforesaid shall be liable to a penalty not exceeding forty shillings for every ticket so issued, to be recovered on summary conviction, and it shall be the duty of the Board of Trade to enforce such penalty."—(*Mr. Causton,*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

*SIR MICHAEL HICKS BEACH: I have no objection whatever to the principle of the clause, but I would suggest that, as the railway companies have on hand large numbers of tickets, the date on which the clause should come into operation should be fixed by an order of the Board of Trade. The time fixed by the clause would not be quite fair to the companies, but I will fix as early a day as possible. I may also point out that difficulties might arise in cases where there were different routes from one station to another place. If the hon. Member will accept a clause which I think will meet his views, I will move it.

The clause is—

"From and after a date to be fixed by order of the Board of Trade, and subject to such exceptions, if any, as may be allowed by such order, every passenger ticket issued by any railway company shall bear upon its face, printed or written in legible characters the fare chargeable for the journey for which such ticket is issued, and any railway company issuing any passenger ticket in contravention of the provisions of this section shall be liable to a penalty not exceeding forty shillings for every ticket so issued, to be recovered on summary conviction."

*MR. CAUSTON: I think the proposal of the right hon. Gentleman is a reasonable one and I accept it, and if it is worked out in the spirit I take it that it will be, there will be no necessity for me to introduce my Bill another Session.

The Clause proposed by Mr. Causton was by leave withdrawn.

The New Clause proposed by Sir Michael Hicks Beach was read a second time and added to the Bill.

MR. MURPHY: I beg to move the Second Reading of the new Clause in my name.

Question proposed,

"That the following new Clause be read a Second Time:

'Whenever any Railway Company shall be ordered by the Board of Trade to provide any appliances, or execute any works, or incur any expenditure under the provisions of this Act, which would properly be chargeable to capital account, it shall be lawful for such Company to furnish to the Board of Trade an estimate of the cost of providing such appliances, executing such works, and carrying out such order generally, and thereupon the Board of Trade shall, upon the application of the Company, fix and determine the amount which would properly be capital expenditure, and the Company may, from time to time, issue debentures or debenture stock in priority to or ranking pari passu with any existing debentures or debenture stock of such Company bearing interest at a rate not exceeding five per cent per annum to an amount not exceeding the sum so fixed and determined, and any money raised under the provisions of this Section shall be applied in carrying out such requirements of the Board of Trade and to no other purpose whatsoever, and no other authority save the certificate of the Board of Trade shall be requisite to authorise and validate the issue of such debentures or debenture stock.'"

Question put, and agreed to, and Clause added to the Bill.

Bill reported as amended: to be considered to-morrow.

LONDON COUNTY COUNCIL (MONEY) BILL. (No. 356).

Order for Second Reading read, and discharged:—Bill withdrawn, and Leave given to present another Bill instead thereof.

LONDON COUNTY COUNCIL (MONEY (No. 2) BILL.

Presented accordingly, and read the first time; to be read a second time upon Thursday, and to be printed. [Bill 367.]

SUPPLY—REPORT.

Resolution [5th August] reported.

CIVIL SERVICE ESTIMATES.

CLASS IV.

"That a sum, not exceeding £2,104,339, be granted to Her Majesty, to complete the sum necessary to defray the charge which will come in course of payment during the year ending on the 31st day of March, 1890, for Public Education in England and Wales, including expenses of the Education Office in London."

Resolution read a second time.

Motion made and Question proposed, "That this House doth agree with the Committee in the said Resolution."

MR. S. BUXTON (Tower Hamlets, Poplar): I desire to ask for information as to the position of the architects of the Education Department. I trust the right hon. Gentleman will be able to

explain the system, or to state that he proposes to put an end to it. I do not intend in any way to reflect on the present architect. I have had personal knowledge of his work in connection with the London School Board for some years; but my view is that no public officer ought to be placed in such a position.

MR. H. GARDNER (Essex, Saffron Walden): I wish to raise a question of some importance to agricultural constituencies. Last night I had an Amendment down to this Vote; but, as I understood it was of some importance that the Vote should be obtained at that sitting, I refrained from proposing it. Now, the question I desire to raise is as to the granting to both political Parties the right to use school-rooms in villages for holding public meetings. This is a question of pressing importance, and it is in the earnest hope that the Vice-President of the Council will give the House some satisfactory assurance on the question that I venture to bring it forward, even at this late hour. During the last four years I have tried to get the verdict of the House on this question; but I have not been successful in the ballot. If I may be permitted to say so, I think it is a matter for regret that the wisdom of this House cannot devise some more reasonable means of determining whether proposed legislation is important or not. We had a conversation on this subject two years ago, and the right hon. Gentleman then said it must take its turn with other topics. I have had a Bill on that subject before Parliament for the last two Sessions, but have not been fortunate enough to get it considered. It is well known that in the agricultural constituencies the use of these schools is not given with equal justice to both sides. I have made inquiries in 30 counties, and in 24 of them the schools have been refused to the Liberal candidates, and have been granted to the Conservatives. All I desire is to get equal advantages for both political Parties, and I therefore trust I shall get a satisfactory answer from the right hon. Gentleman.

MR. CONWAY (Leitrim, N.): Last night I assented to this Vote being taken on condition that the President of the Council to-day gave me information on two points. We have conceded in theory freedom of classification, but the Code does not give it in practice, and I hold that teachers ought to have greater freedom in working the classes as they like. I hold that the system of payment by results has totally failed, both in Board and voluntary schools. The children dislike it, and the teachers at their annual conferences denounce it, and the result is that the £8,000,000 now spent on popular education does not produce such beneficial results as it should. I therefore hope that before the right hon. Gentleman again brings in his Code he will make it less rigid. With regard to reforming the system of inspection I should like to point out that the sub-inspectors are drawn from active teachers. It was admitted that they do their work well and that the introduction of them has saved the country £12,000 a year. I think that promotion to the higher ranks of inspectors and chief inspectors ought to be open to them. And I hope the right hon. Gentleman will give this matter very careful consideration. Lately there has been before this House a proposal for pensioning School Board teachers in London, but why should not provincial teachers also be pensioned? I think teachers throughout the country should be brought under the scheme. I ask hon. Gentlemen to consider whether it is not within the power of the Department to arrive at some superannuation scheme that will give satisfaction to the teachers so far as providing for their old age. They are good servants of the State and ought not to be thrown at the end of their career on the world. The State ought to take them by the hand.

MAJOR RASCH (Essex, S.E.): I have an appeal to make to the favourable consideration of the right hon. Gentleman, because in the part of the county of Essex which I represent we have not ordinary soil and therefore cannot erect as substantial schools as the permanent officials of the Education Department re-

quire. One great place of difficulty is the neighbourhood of the Tilbury Docks, where we have a school. The school has always paid its way, but owing to the fact that within a foot of the surface we came to water, we are unable to put up a substantial structure. I hope the Vice President will be able to see his way to rescind the order to which I have referred, and let us in Essex do the best we can on the sub-soil on which God has placed us.

*MR. CAUSTON (Southwark): Last night little reference was made to the objections to the new Code made by the teachers. I do not wish to prolong the discussion, but I hope the right hon. Gentleman will, during the Recess, consider seriously the objections the teachers have raised, and will not be discouraged by the hon. Member for the Evesham Division (Sir R. Temple) and others who are trying to alarm him and the House with regard to expense. The hon. Baronet said last night that if the ratepayers choose to elect School Boards who spend their money right and left they alone are answerable. The ratepayers want efficient and good teachers, and generally they will not grudge expenditure upon education which will really bring about increased efficiency.

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): I cannot complain that these points have been raised to-night, because I am aware that at the close of the discussion last night several hon. Members waived their right to speak in order to allow the Government to take the vote. The hon. Member for Poplar (Mr. S. Buxton) has referred to Mr. Robson, who is called the architect to the Department. Mr. Robson is not a Civil servant in any shape or way, but is a professional architect, who is consulted by the Department with regard to plans of school buildings as to how far they meet the requirements of the Department. The Department have allowed this gentleman to be consulted as a professional expert by school managers before they commence their buildings as to how they can best meet the requirements of the Department, and he has been allowed to receive a fee, in all cases limited to five guineas, upon giving his advice. [An hon. MEMBER: "Is he paid by the Department also?"] The Department pay him by salary. I admit this is a system which may be liable to some abuse. It is a system which I have always looked upon with some jealousy. If the opinion once prevails that school managers cannot pass their schemes of building without the payment of a fee to this gentleman it would be very difficult to retain the system. But I am bound to say that in every case brought to my knowledge, I have found the greatest difficulty in proving that there has been any abuse; but I will promise hon. Members I will watch the working of the system most jealously, and that if I find any abuse is occurring under it, I will at once take steps to put the whole matter on a different basis. The hon. Member for Saffron Walden (Mr. H. Gardner) raised the question of the use of school buildings for election meetings. I say at once, I believe it is to the advantage of hon. Members on this side of the House that every possible opportunity should be afforded hon. Members opposite to promulgate their political opinions, and I shall be glad at all times to consider any practical proposal to bring about so desirable a result. But I must remind hon. Gentlemen that there are one or two difficulties to be grappled with. In the first place, a vast number of these school buildings are essentially private property, and to compel the use of these buildings for political purposes is, in a certain sense, an invasion of private right. Again, these buildings are essentially for the purpose of elementary education, and we are all aware that at times of political excitement there are such things as stormy meetings. This fact was appreciated in the Bill introduced the other day, because in the Measure there was the provision that the candidate should be held responsible for any damage done. Then we have also to consider what is to happen to the scholars in the morning after a stormy meeting the night before. As to the candidate being held responsible for damage done, I can quite understand the

case of a candidate who is adopted generally by a political party. He would probably be a responsible person, but there is such a person heard of in our political existence as the carpet bagger. Supposing this visionary element is introduced into a political contest. How are the unfortunate managers of the school to recover damages? Again, the school building is only to be adopted as a place of political meeting, provided another suitable place cannot be found. I have had some experience of political contests. I have held meetings in barns, and I have held meetings in a jam factory, where I spoke from a platform erected on the top of a boiler. I believe that political meetings may very well be held without putting such a strain upon our school resources as the hon. Member indicates. But I do not put these objections forward in any captious spirit, and I assure the hon. Gentleman that if he will bring in a Bill next Session dealing with this question it shall be met in a fair and candid spirit. The hon. Member (Mr. Conway) has referred to two or three points connected with the proceedings of yesterday. On all the points he raised he has my sympathy. I assure him that in our proposals we mean the freedom of classification to be a reality. As to inspection, I promise the hon. Gentleman I will institute a reform in the system. I am in complete accord with one of the chief proposals of the Royal Commission on Education. I think our teachers should be admitted to all classes of inspectors, and I also promise the hon. Member I will bring the scheme of teachers' pensions suggested by the Royal Commission to the attention of my colleagues. I wish I could give my hon. Friend the Member for Essex (Major Rasch) a more satisfactory reply than I am in a position to give him. My hon. Friend says that in the neighbourhood of the Tilbury Docks it is difficult to raise a substantial building, but I am informed that in the proximity there is a very substantially built Roman Catholic school, and that there are other brick buildings. I deeply regret I cannot meet the hon. Gentleman's views. The Department will not sanction the use of iron buildings for any great length of time. This building was sanctioned for one year on the understanding that a more substantial building would be substituted.

MR. MARJORIBANKS (Berwickshire): As to the holding of meetings in schools, the right hon. Gentleman directed his objections entirely to the point as if it was not the custom to hold meetings in schools at all.

*SIR W. HART DYKE: I understand the proposal is that the granting of the use of schools may be made compulsory.

MR. MARJORIBANKS: That is the proposal of my hon. Friend, but the remarks of the right hon. Gentleman were not directed to that point at all. His argument was it was dangerous to allow meetings to be held in schools, because there are occasionally stormy meetings, and children might not be able to occupy the school the next morning. What we complain of is that in some parts of England the use of schools is only allowed to one political party. As far as my experience goes the noisy meetings to which the right hon. Gentleman referred are generally the meetings addressed by Gentlemen who sit opposite (Ministerial cheers.) I am very glad indeed hon. Gentlemen corroborate my assertion, because it is a very material one to my argument. If these noisy Conservative meetings may be held in school rooms as at present, it is clear that to allow quiet Liberal meetings cannot possibly interfere with the studies of the children the next morning. Certainly if my hon. Friend goes to a Division as a protest against the action of the Government, I shall support him.

*MR. WINTERBOTHAM (Gloucestershire, Cirencester): This matter is so important to the representatives of rural constituencies that I am going, with very great regret at this time of the night, to move a reduction of this vote by £100. The answer of the right hon. Gentleman is quite unsatisfactory to us. We have not got those jam factories at our disposal, which the right hon. Member alluded to, we have not all got barns in our villages belonging to farmers able or willing to lend them, and while I wish to

say the great majority of the clergy and the school managers are perfectly fair and reasonable and offer their schools to both sides, there are a few obstinate and narrow-minded clergymen scattered through the constituencies who refuse the use of their school-rooms to Liberal candidates. These schools are supported to a large extent by national funds, and were built largely by public funds, and I maintain it is monstrously unfair that the use of them should only be granted to one side of politics. I beg to move the reduction of the vote by £100.

*MR. SPEAKER: That Motion cannot be put as I have already put the Question, that the House do agree with the Committee in the said Resolution.

*MR. WINTERBOTHAM: Then I must meet the Question with the direct "No."

*MR. J. G. TALBOT (Oxford University): If this matter is to be pressed to a Division, I think something should be said on this side. I congratulate the right hon. Member for Berwickshire on a somewhat limited knowledge of Party politics. He seems to think that Conservative meetings are disturbed by Conservative speakers. Surely, if Conservative meetings are disturbed, they must be disturbed by gentlemen of his own persuasion. The real question is, whether we are going to make a complete change in our educational system. Schools, both Board and voluntary, are provided for elementary education, and now we are asked to set these places apart for political meetings. In the case of a political campaign, we might have meeting after meeting evening after evening. In such a case what would become of the evening classes, which hon. Gentlemen opposite, as well as we on this side said so much in favour of? They would be entirely suspended during the whole of a political campaign. Who would be the losers? Why, the scholars. These things can only be done in this country as so many other things are done, by arrangement, by voluntary effort, and by compromise. I think it would be a piece of monstrous tyranny on the part of this House to lay down a hard and fast rule that the use of schools should be granted for political meetings, whenever demanded, no matter how responsible or irresponsible the man demanding them might be.

MR. H. GARDNER: That is not my proposition.

*MR. J. G. TALBOT: That is one of the inconveniences of the situation; we really do not know what the proposition is. I trust, however, that the House, in the interest of fair play to both sides, will never consent to the suggestion which has been made to it.

*MR. CHANNING: The hon. Member for Oxford University seems to know very little about village life, because he does not seem to know that the village school in many of our villages is practically the only place of meeting. I desire to bear my own testimony to the courtesy of clergymen in my own division, who have put their schools at my disposal for political meetings, and who also have granted me the use of Sunday Schools, and in one case a distinctly ecclesiastical building—the old Bede House at Higham Ferrers. But in many other parts of the country the use of the schools is systematically refused. In no case have I heard of the slightest damage to the schools. I was simply astonished when I heard the Vice President dwell upon the absurd difficulties created in his imagination, and then go on to say that he would give candid consideration to any Bill which my hon. Friend might bring forward next Session. If the right hon. Gentleman is sincere in his wish that Liberals should have access to the schools, why does he not bring in a one or two-clause Bill which he could easily pass even at this period of the Session?

SIR J. SWINBURNE (Staffordshire, Lichfield): The hon. Member for the Oxford University asks who would be the losers by the schools being used for political meetings, and suggests that they would be the scholars. I deny that altogether. Let both sides express their views freely, and then we should not hear quite so much of the gross ignorance in Dorset, Hampshire, and other south country counties. We have heard of the schoolrooms being damaged, but we know that now schools are let for lectures, exhibitions, and the like, and

that the managers merely ask that the persons using them for such purposes should undertake to make good any damage done and to defray the cost of cleaning and lighting. Suppose a candidate was a carpet bagger, a deposit of £5 before the school was used would settle the matter at once. I do not wish to be disrespectful to the right hon. Gentleman, but I must say his objections appeared to me to be quite childish. If these schools are to be used, then they ought to be open to the use of both parties, and I see no objection to that. I feel astounded that the right hon. Gentleman should say they are private property. Are they not supported by public grants?

MR. P. J. POWER (Waterford, E.): In connection with election proceedings in the North recently, some reverend gentleman asked me not to say anything against the Tory candidate, and to my surprise I found that this was because they hoped for favours from the Conservative Government, and the ground of their hope was the pressure on the Government of the present Home Secretary. I did my best to show them on what a broken reed they were relying, by explaining how the right hon. Gentleman was once a Member of my own Party.

The House divided:—Ayes 106, Noes 48. (Div. List No. 283).

TECHNICAL EDUCATION BILL. (No. 27).

Order for Committee read, and discharged.

Bill withdrawn.

GENERAL POLICE AND IMPROVEMENT (SCOTLAND) ACT (1862) AMENDMENT BILL. (No. 252).

Read a second time, and committed for to-morrow.

BRIBERY (PUBLIC BODIES) PREVENTION [EXPENSES.]

Resolution reported—

"That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of the expenses of the prosecution, in Scotland or Ireland, of any offence under any Act of the present Session for the prevention and punishment of Bribery and Corruption by members of Public Bodies."

Sir J. Swinburne

COTTON CLOTH FACTORIES [EXPENSES.]

Resolution reported—

"That it is expedient to authorise the payment, in certain cases, out of moneys to be provided by Parliament, of the Expenses of Arbitration under any Act of the present Session to make further provision for the regulation of Cotton Cloth Factories."

Resolution agreed to.

JUDICIAL RENTS (IRELAND) BILL.

Motion made and Question proposed, "That leave be given to bring in a Bill to facilitate the fixing of Judicial Rents in Ireland."—(*The Solicitor General for Ireland.*)

MR. J. E. ELLIS: Are we to have no explanation of this?

*THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): On a former occasion my right hon. Friend the Chief Secretary stated the object of the Bill, which I hope in a day or two will be in the hands of hon. Members. Shortly stated, the Bill is to facilitate the fixing of judicial rents, and examination of the lands, dispensing with a hearing in open Court where both parties consent.

MR. MAURICE HEALY (Cork): I beg to say I shall feel it my duty to oppose the Bill on all future stages.

MR. DILLWYN (Swansea Town): May I ask under what rule are we now going on. It is past one o'clock, at which hour I always understood business should cease.

*MR. SPEAKER: Under the resolution passed by the House in April last, which provides that contested business being passed, the Orders of the Day shall be gone through in the usual way, and also under the First Standing Order of the House.

*MR. T. W. RUSSELL: May I ask cannot what is proposed in this Bill be done without legislation at all?

*MR. MADDEN: A Bill is necessary, and when it comes to be seen I do not think it will excite much opposition.

Question put, and agreed to.

Ordered to be brought in by Mr. Arthur Balfour and Mr. Solicitor General for Ireland.

Bill presented, and read first time. [Bill 368.]

House adjourned at a quarter after One o'clock.

HANSARD'S PARLIAMENTARY DEBATES.

No. 5.] SEVENTH VOLUME OF SESSION 1889. [AUGUST 15.

HOUSE OF COMMONS,

Wednesday, 7th August, 1889.

STANDING ORDER 25 (CLOSURE OF DEBATE.)

Order [25th July] for a Return relative to Standing Order 25 (Closure of Debate) read, and discharged; and, instead thereof,—

Standing Order 25 (Closure of Debate).—Return ordered—

"Respecting application of Standing Order 25 (Closure of Debate) during Session 1888 and during Session 1889, in the same form and in continuation of Parliamentary Paper, No. 332, of Session 1888."—(*Mr. John Ellis.*)

ORDERS OF THE DAY.

—o—

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—considered in Committee.

(In the Committee.)

CLASS III.

Motion made, and Question proposed,

"That a sum, not exceeding £889,371, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1890, for the Expenses of the Royal Irish Constabulary."

*MR. W. MACDONALD (Queen's County, Ossory): I should not have attempted to take part in this Debate if it had not been for the very unsatisfactory character of the reply made by the right hon. Gentleman the Chief Secretary to my hon. Friends who spoke on this side of the House yesterday. My hon. Friend the Member for North Cork (Mr. Flynn) raised one point to which no satisfactory answer was given at all. He spoke of the enormous increase in the cost of the Constabulary since 1871, and he compared it with the cost in a number of important English towns. The Chief Secretary took no notice whatever of that argument, and only dealt with the cost of the police in the Metropolis here in London. He said that there were peculiar circumstances relating to the Metropolis; but that there were also peculiar circumstances relating to Ireland. The peculiar circumstances in Ireland are, that you are trying in that country to govern a people against the will of the people, and therefore, it is that you require this armed force. It is upon that ground that the Chief Secretary will not agree to any reduction of its efficiency. Surely there can be no comparison between this great Metropolis and Ireland. Here you have an enormous population congregated in a small area, and the large aggregation of wealth draws towards it persons from all parts of the world, and naturally produces a thieving class almost unknown in Ireland. It is because this class is so large and is drawn together in so small a space that you have in London to maintain so large a force and to incur such an enormous expenditure. All these circumstances are absent in Ireland; in fact the direct contrary is the case. We have an agricultural population scattered over the face of the land—no great aggregation of wealth—no appreciable number of thieves or dangerous classes to be kept down, as dangerous classes are understood in London. Therefore the comparison is simply absurd. And now let me ask why did the arrest of my hon.

Friend the Member for North-East Cork (Mr. W. O'Brien) take place at a railway station on an occasion when it was calculated naturally to produce a feeling of irritation!? The Chief Secretary says that he regrets the batoning of the hon. Member for North Monaghan (Mr. P. O'Brien). I hope that regret is sincere on the part of the right hon. Gentleman, but I have failed to observe in his remarks in this House, or in his conduct in Ireland that regard for human suffering and that tenderness for the lives and feelings of his fellow creatures, which would induce me to attach much importance to his expressions of regret. I attach less importance to them on account of what he said immediately afterwards. He complained that my hon. Friend the Member for North Monaghan had not attended a trial in which he was interested, although he had indulged in a walk in Dr. Tanner's garden for two hours, and had been out of doors on several days. It appears that the right hon. Gentleman has been able to follow most minutely all the actions of my hon. Friend. Yet he told us a moment before that he had no official knowledge of the batoning of my hon. Friend, or of the severity of that batoning, although he was able immediately afterwards to give full particulars of the proceedings of my hon. Friend for days. My belief is that the right hon. Gentleman has official information of everything he cares to know, and that upon those things which he does not care to know he prefers to be left in ignorance. He implied that my hon. Friend might have been present at the trial to which he referred because he had been out of doors walking in a garden and in various other places previously, but I am sure that the right hon. Gentleman knows very little of human suffering and illness if he thinks that that is a serious argument, which will impose upon this Committee. I myself have suffered from what is known as nerve exhaustion, and I can well imagine the condition of my hon. Friend after having been subjected to the frightful cruelties that were inflicted upon him by the police. Does not the right hon. Gentleman know that a man may be able to walk in a garden or about a town and yet be unable to endure the worry and annoyance of an examination in a public court? As a matter of fact the right hon. Gentleman has not yet been subjected to batoning, although he deserves it quite as much as a good many of my hon. Friends who have experienced it. I am quite sure that if he had been, it would be a long time before he would come down to this House and make such an able speech as that which he made last night. In regard to the occurrence at Charleville, the right hon. Gentleman said he thought it was to be regretted that the District Inspector himself discharged his revolver, and that it would have been much better if he had simply given an order to his men to do so. Is he prepared to follow that up by any reprimand to the officer, so as to convince him that he did something of which the Government disapproved? On the contrary, I am afraid we shall soon hear that District Inspector Concannon has been promoted on account of the extraordinary zeal and pluck he displayed in firing off his revolver upon an unarmed crowd. The same remark applies to what the right hon. Gentleman said in reference to Sergeant Mahony. Sergeant Mahony gave passes in Donegal, and all the right hon. Gentleman said was that the passes so given did not inconvenience any law-abiding person. The real question is, was the thing legal or not? Had Sergeant Mahony a right to give these passes? It is not a question of the amount of inconvenience they occasioned, but whether this man had any right to issue passes at all? If not, he should have been reprimanded or degraded, instead of which he has been honoured and promoted. And now in regard to the police. For audacity of assertion I think I never knew anyone to come up to the right hon. Gentleman the Chief Secretary, because he asserts that at no time were the relations of the people of Ireland and the police as good as at this moment. I readily admit that in certain parts of the country there is a fairly good feeling between the police and the people. In my county for instance — Queen's County — the police and the people live together very comfortably. But why is this? It is because, as a rule, the landlords are forbearing, and with the single exception of Luggacurran, no case of hardship has taken place. There has been

no wholesale eviction of the people, and no instances under the Crimes Act in which men have been dragged in considerable numbers before coercion courts where the administration of the law has been accompanied more or less by violence and disturbance. But will any hon. Member say that that describes the state of things all over Ireland? The Chief Secretary may say so, because he does not go about Ireland, but receives all his information second-hand. But I should like to know whether the relations between the people and the police in Donegal are particularly friendly just now. Are the people of Mitchelstown very fond of the police who shot them down in a wanton, cruel, and relentless fashion? Do the people of Cork feel kindly towards the police who batoned not only those who are in sympathy with us, but even those, as my hon. Friend the Member for North Cork has pointed out, who entertain similar political views to those of the Chief Secretary himself? If a *plebescite* could be taken in the City of Cork on this subject, I am sure it would be found that never was there a time when the relations between the police and the people were more strained than they are at this moment. The right hon. Gentleman spoke in a highly laudatory manner of the Royal Irish Constabulary as a body of whom persons of every shade of political feeling ought to be proud. I do not think that it is very easy for men who have been batoned without cause to feel proud of the police, and I do not think that this pride in the police is at all as great in Ireland as it was some time ago. I have spoken to policemen in this country who have wondered at the action of the police in Ireland, and have always given the same account of that action. It is not that the police in Ireland are one whit more cruel or arbitrary than the police of this country, but it is that they know that whatever act of cruelty they commit will be condoned by the Chief Secretary in this House, that they will not be called in question for it, and that so far from being degraded they will be promoted. The character of a force like this depends on the character of the man or men who pull the strings, and at the head of the force and virtually at the head of the Irish Constabulary is the Chief Secretary. We shall be proud of the Irish Constabulary when Ireland is governed in accordance with the will of the people; when the members of that body are mild and gentle in the exercise of their duty; and when they are so because they know that it is not from the Chief Secretary here but from a ruler who governs in harmony with the will of the people that they receive their orders. Then, and not till then, will the Nationalist Members of this House feel proud of the men whom the Chief Secretary at present pampers, praises, but never censures or punishes, no matter what crimes against our common humanity they may perpetrate.

MR. SEXTON (Belfast, W.): The Chief Secretary for Ireland last night, while discussing this Vote from a position of great advantage, towards the close of the Debate—during the course of which the Government had been represented, for the most part, by himself and two or three of his familiars, while the Party in power were represented by some dozen hon. Members artistically disporting themselves on the Benches opposite, dividing their time between conversation and sleep—took occasion to criticise the state of the Benches on this side of the House. Surely it did not lie in his mouth to make a complaint. Complaint, if any, should have come from us, and not from him. The right hon. Gentleman brings forward this Vote at a time when the public business and the proceedings of the House are practically worn out, when hon. Members are exhausted, and when many have left their places for the Session—at a time when it is impossible to secure even a fugitive Debate upon an Imperial question, or to obtain a true expression of the sense of the House of Commons upon any subject that may be brought before it. Our Constitutional rights are struck down by brute force in Ireland, and we are prevented, by a contrivance on the part of the Government, from obtaining a real opportunity of expressing our views. This is the third year in which we have been obliged to discuss the Irish Estimates in a formal, but by no means an effective, Debate. We have tolerated this kind of proceeding much too long, and so far as I am concerned, I warn the Government I am resolved that after this year we will tolerate it

no longer. It must not be forgotten that last year we were kept until Christmas Eve discussing the Irish Estimates, and that the First Lord of the Treasury then gave an emphatic pledge that this Session there should be a steady and regular course of Supply—that Supply should be taken every week, and that Members should be able to avail themselves of the Constitutional principle that redress of grievances should precede Supply. That pledge has been broken. This year, as in the two preceding years, the Irish Members have been kept here for six months, hanging about the precincts of the House waiting for the Irish Estimates to be brought forward. For six months no question of Irish interest has been brought on, and now, in the second week of August, in a skeleton House, important Estimates are brought forward, and the Chief Secretary has the effrontery to make the condition of the House a cause of complaint. All I can say is that there are powers in the possession of any considerable Party in the House of which they cannot be deprived, to compel the Government to revert to the steady and Constitutional practice of devoting careful consideration to the Estimates. I can promise the right hon. Gentleman that never again will he be allowed to defeat our Constitutional rights by postponing Supply until the discussion becomes a real sham. We shall compel him, in future, to afford us, from time to time, from the beginning of the Session until the end of it, a full opportunity of discussing our grievances on the presentation of the Votes in Supply. What is the claim of the Chief Secretary in regard to the Government of Ireland? He claims that by active exertion, and by pursuing a policy of conciliation, he has pacified the country. He claims that the National League has become a thing of the past, wherever he has been pleased to lay his hands upon it; that while public meetings were numerous a few years ago, they are few at present; above all he claims that the need for police protection has ceased, and that boycotted persons, counted by thousands a couple of years ago, are now as rare in Ireland as a Whiteboy. If the country be pacified, there ought to be no need for the maintenance of a Constabulary Force as high as in excited times, and no need for that movement from one part of the country to another of large bodies of men which has occasioned so considerable an augmentation of the present vote. This is the vote on which the right hon. Gentleman should be prepared to prove the pacification of Ireland, but it proves directly the contrary. What is the actual fact? The amount of the Vote goes on increasing from year to year. At the beginning of the present generation the cost of maintaining the Constabulary of Ireland was one-half what it is now. At that time the population of Ireland was double what it is now. Therefore, proportionately to the population, the cost of the Irish Police is four times as much now as it was in the year of stress and strain occasioned by the great famine. What is the moral? What a significant and conclusive commentary upon 40 years of coercion! Moreover, up to the present time coercion was intermittent and spasmodic; but now we have reached the Millenium of the Tory Party. We have come to permanent coercion. We have had two years' experience of that system, and why is it that after two years of coercion; and after Ireland has been so completely pacified as the right hon. Gentleman pretends, the cost of the police is at least four times as much as it was a generation ago, and five times as much as that of the police of Wales and Scotland. The right hon. Gentleman made a comparison between the cost of the police in Ireland and in London, but the comparison in point of cost is in favour of the police of London. The Irish Constabulary Officer leads a life of dignified and gentlemanly leisure, whereas those in this Metropolis are actively engaged in the real duties of their position. But the right hon. Gentleman left out of account the police of the City of Dublin. If you include that force the fact comes out that the police of Ireland at the present moment cost from £100,000 to £200,000 a year more than the police of London. Let me apply another test. At the foot of the first page of this Vote we are told that we are to refund the Exchequer this year a sum of £63,600 for extra police. What is meaning of that? Does it mean that in addition to the ordinary force sufficient for the repression of ordinary crime there are quartered in

the counties of Ireland, not on those who can afford to pay, but upon the poor occupiers of land, these bodies of extra police, the maintenance of which makes the burden of life more heavy upon the struggling occupier, who, even if this burden were taken away, would find it hard enough to live. Then what becomes of the pacification of Ireland? Last year the cost of the extra police was £63,400; this year it is £63,600. If matters are now so pacific, the calenders of Assize so blank, if disorder has almost disappeared, and boycotting has practically ceased, what is the reason that these squadrons of extra police are employed? I have received from various public Boards in the different counties of Ireland resolutions of the most bitter complaint against this system of extra police. In one resolution from County Clare, it is stated that, having regard to the destitution which is certain to prevail in the winter and spring in consequence of the want of employment, the failure of the potato crop, the general depression, and the excessive amount of local taxation, it has become imperative necessary to request the Lord Lieutenant to use his influence with Her Majesty's Government in order to secure that the cost of the extra police shall be borne by the Imperial Exchequer. I have received from various public bodies recently urgent letters praying me to bring the grievance of this impost before the House of Commons. I ask, therefore, if there be any reality in the contention of the right hon. Gentleman that the country is pacified and order restored, and his policy successful, whether he can offer any tolerable argument in justification of the continued employment of this extra police. If Ireland is in an ordinary condition, why cannot she be governed by an ordinary force? I intend to conclude my remarks by moving that the amount of the Vote be reduced by the sum of £63,000, which represents the cost of the extra police, because I maintain that upon the showing of the Chief Secretary himself there is not a shadow of ground for their continued employment. I am sorry to find that in regard to this Vote we are deprived of the testimony of my hon. Friends the Members for North East Cork (Mr. W. O'Brien) and North Longford (Mr. T. Healy). [An hon. MEMBER: Mr. Healy is here.] I am glad to see that my hon. and learned Friend, in spite of the difficulties which have been thrown in his way, has been able to find his way back to the House. I know that my hon. and learned Friend has been in the habit of overcoming the apparently insurmountable difficulties which have been placed in his path by the right hon. Gentleman the Chief Secretary. But my hon. Friend the Member for North-East Cork is absent. The right hon. Gentleman said he would take great pains to secure the attendance of my hon. Friend. What pains has he taken? My hon. Friend was entitled to expect that he would be free to attend to his duties in this House; but a day or two before the day fixed for taking the Irish Votes my hon. Friend was called upon to appear before a Court in Ireland upon another charge. My hon. Friend was called upon to appear on Thursday in Ireland. This Vote was fixed on Tuesday, and yet the Chief Secretary says he might have taken part in this Debate, and still have attended at Thursday's trial. Is the right hon. Gentleman aware that Clonakilty is a full day's journey from Dublin? Did he imagine it was not necessary for my hon. Friend to engage a solicitor and counsel? Perhaps the right hon. Gentleman thinks that a superfluous operation. He knows the functions of his Resident Magistrates, and the orders they have received from him. He knows the uselessness of any Irish Member preparing a defence, and I suppose he assumed that my hon. Friend would take the same view as himself, and would appear before the tribunal without any preparation, because no amount of preparation could affect the decision to be arrived at. But let me tell him that though the mind of the tribunal could not be affected the mind of the country can, and will be informed of the true nature of the proceedings. Instead of taking pains to secure my hon. Friend's presence the right hon. Gentleman has taken every pains to secure his absence, and the effect has been that the Committee has been deprived of the presence of a Member whose presence would have been an advantage, not only because of his political information, but also because of his personal knowledge of facts properly raised under the Constabulary Vote. That, however, is only in

accord with the record of the right hon. Gentleman, whose practice is to get an opponent out of the way, and then to attack his veracity, question the truth of his evidence, and to make scandalous imputations against him. Now what ought to be the function of the Police Force in Ireland? Its function should be the preservation of order, the protection of property, and the detection of crime. But as a fact it promotes disorder. I notice that the charges for election expenses are just as high as ever. What is the meaning of that? There have been no Parliamentary Elections. The right hon. Gentleman says that there are other elections not Parliamentary, but surely in those cases it is not necessary to detail bodies of police for duty. Again, all the elections in Ireland except in one little corner are a walk over for the Nationalist candidate, and there is no necessity to send a policeman where they dare not send a candidate. According to the right hon. Gentleman disturbances only occur in Ireland at places where the people are all of one mind. I could understand conflict of mind leading up to conflict of force, but I cannot understand the contention of the right hon. Gentleman that people fall out, and beat each other for no better reason than that they agree. As a fact disturbances do not occur unless they are provoked by the police. I have seen a policeman taking notes in the midst of a gathering of 20,000 men in a time of great popular excitement and no one has even offered him an uncivil word. There is an item of £3,000 in this Vote for expected disturbances up to next April. Since Ireland is quiet and peaceful the inference is that the item occurs only because the Government intended to promote disturbances as they did at Mitchelstown. I challenge the right hon. Gentleman to show me any case in which disorder has arisen in Ireland except where the police, acting on instructions from their superiors, had interfered with the exercise of the right of public meeting. The fact is the main function of the police force in Ireland is to carry out evictions for rent as in the case of the Ponsonby estate—rent which with this particular case the agents themselves had to admit to be unjust. The police are employed to carry out evictions for the non-payment of exorbitant rents, and they fulfil their duty of protecting property by allowing a fraud on the Imperial Exchequer by the inclusion in the purchase money of certain estates iniquitous arrears. As to the detection of crime by the police, why, Ireland is the most crimeless country in the world, not by reason of the diligence of the police, but because of the natural bent of the people. Whenever crime is committed the police can never find it out. It is not to their profit to do it. They are not encouraged to do it. I never heard of a policeman being singled out for favour or promotion for the detection of ordinary crime. No; they are taught by their superiors in Dublin Castle that the way to promotion and favour is not by serving the public, not by the detection of crime, but to harass public meetings, to insult Members of Parliament, and to inflict physical violence upon them, and to ferret out and trump up false charges against the representatives of the people. That is the function to which the police force in Ireland is degraded. Instead of being simply a police force it is a military force, employed and pampered for the advantage, first, of a social class, and then of a political Party. I have said that their energies are devoted to evictions. Now, what have we heard about the battering ram? I said a little time ago that we should refuse to proceed with this Vote unless we have some information given us on the subject, and I must insist that the Debate be energetically continued until further information about it is vouchsafed to us. I declare the ram to be the type and pioneer of a new policy in regard to evictions in Ireland. A short time ago we were told the purpose of the ram was to protect the police; but, if so, why is it not paid for by the Government like any other equipment of that force? No doubt a county inspector ordered it, and the bill for it was sent to him. The Solicitor General in this House actually stated the amount of the bill. My own theory is that the Government ordered the ram, and that they either paid for it or intended to pay for it, but they found the exhibition of the instrument at by-elections had a deleterious effect. They found that the intrusion of this machine from the Middle Ages into the 19th century and the arena of household suffrage and Parliamentary

rule was something too strong for the conscience of the British Electorate, and so they resolved not to pay the bill. Now, the right hon. Gentleman clearly stated that the charge for this machine would appear on the Estimates. It does not so appear; and I wish now to ask who is to pay the bill? If this machine is to be used for the protection of the police the Government ought to pay for it. I venture to think the landlords are not in a condition to pay for it, nor can that mouldy concern the Derelict Farms Trust, nor, I think, can the Land Corporation. Knowing as I do that the First Lord of the Treasury, in a weak moment, subscribed £500 to that concern, he may if he is in a cheerful mood, now whistle for his money. I am disposed to press the inquiry, did the Land Corporation of Ireland pay for the machine? We will not assent to the payment for it being made out of a private purse any more than we allow the police bayonets and batons to be paid for out of a private purse. I know the Chief Secretary for Ireland has two or three capacities. Am I to conclude, because in his public capacity the right hon. Gentleman glorifies the battering ram, that in his private capacity he has paid for it? According to the right hon. Gentleman it is not only a jewel to the Government and a shield to the police, but a palladium to the people. If this importation from the siege of Jerusalem is so valuable all round, in common gratitude the representatives of the people are entitled to know to what anonymous donor they are indebted. Irishmen are not wont to be ungrateful, and we cannot suffer ourselves, even by the reserve and singular reticence of the right hon. Gentleman, to be prevented expressing our gratitude to the man who has placed us in possession of this palladium of the Constitution, more valuable than trial by jury, than secret voting, than household suffrage; more valuable than any boon conferred on us by enlightened legislation, and by the still more enlightened administration of the right hon. Gentleman. We must learn a little more about this ram. Is it to be employed in breaking down the homes of the people in such cases as that of the poor man who had come back to his native place in Donegal, had taken a farm and given that farm all its value, had built a house and made a home, and was to be evicted because he would not pay the landlord the value of the land which he had himself created? That man said he would sooner die than be turned out of his home as a beggar. I will tell the right hon. Gentleman that the danger of this system begins when a man is driven to the point that he does not care whether he lives or dies. I will ask the right hon. Gentleman whether he will apply the system to the homes in England? Why did he not apply it to the homes of the crofters? He allowed them an abatement of arrears. If he had not done so there would have been bloodshed at the evictions, and that would have had a serious effect upon the people of England. Men who feel that they have been robbed of the fruits of their lives' labour may be made desperate. Moreover, what will be the effect of the use of this battering ram upon the landlords? Some landlords are humane, some have regard for public opinion, some may be deterred from resorting to eviction by the circumstance that evictions are painful. But if the right hon. Gentleman assures us that evictions may be made smooth and rapid, he will be responsible for a course of proceeding which may have a most dangerous effect upon the peace of Ireland: he will multiply evictions and stimulate the resort to this mode of driving people from their homes. To return, however, to the police. Policemen are promoted not only for carrying out evictions, but for getting up evidence. Two of my hon. Friends were recently taken away from their duty in this House to answer a charge in Ireland, where they were bandied about to and fro. When the charge came to be heard the constable swore that he had made a longhand note of the speeches at the meeting, and that he had not had an opportunity of consulting the Dublin papers before preparing his report. It was proved that he had seen the Dublin papers, and that he had made up his Report from extracts out of them. There was elaborate perjury on the part of the policeman. The right hon. Gentleman cannot deny that there was perjury; but he says that the reports appeared in the newspapers, and he invites my hon. Friend—who has stood his trial and been acquitted—to stand up in the House of Commons and admit his guilt. "True," said the right hon.

Gentleman, "the evidence of the constable was not to be believed, but the Magistrates did not convict." The right hon. Gentleman has so high an opinion of his own judicial utensils that he claims credit in the House of Commons because two Magistrates in Ireland did not convict a Member of this House upon evidence which they declared from the Bench they did not believe. The right hon. Gentleman is so surprised at it that he takes credit for the novelty. What about the policeman? Is he to get off? We shall probably hear of him next as a Head Constable, and in the course of a few years as a most diligent and efficient officer. If the Magistrates in Ireland are to condemn a policeman becaase, from over-zeal in the prosecution of Irish Members of Parliament, he has committed a little laudable perjury, what will become of that essential thing —the solidarity of the Public Service in Ireland? Upon the question of evidence I must refer to the case of the *Times*. A more extraordinary declaration than that of the Chief Secretary on the subject has never been heard in the House of Commons. The Chief Secretary has been asked by the right hon. Member for Wolverhampton whether any relief has been given to the Exchequer in regard to pay for the police for their services to the *Times*. For the last 12 months the service of the Queen has been superseded by the service of the *Times*. It has been all apathy and indifference in the one case, and all energy and zeal in the other. Of course the explanation is, as I have reason to believe, that Mr. Soames has paid Irish officials of every rank, from the Divisional Commissioner down to the constable, on a scale of allowances amounting to treble their ordinary pay. The Chief Secretary has said that the ordinary course has been strictly followed with the *Times*' witnesses, but I enjoyed the advantage the other day of cross-examining Mr. Soames in the witness box. The learned Judge had laid down that not more than the ordinary scale should have been given by the *Times*. I asked Mr. Soames whether more than £60,000 had not been paid. He could not say. I then asked whether £20,000 was the sum paid, and Mr. Soames declined to say. Scores of thousands of pounds have been paid to Irish officials of all classes to ferret out and furbish up charges against those who ought to be their masters—namely, the Representatives of the Irish people. The Irish police have, meanwhile, obstructed in every possible way the evidence for the defence. They have sought out witnesses, gingered-up informers, threatened reluctant witnesses with prosecution, escorted them from place to place in London, mounted guard upon them until, as in the case of Pigott, the moment arrived when the two intelligent constables, discerning the mind of the Executive, allowed him to escape. Never since Constitutional Government began have a body of men, whose position ought to entitle them to respect, been by such base instruments exposed to malignant and petty prosecution as the Irish Representatives have. The police have not only suborned evidence, but they have nursed it, dangled it and taken care of it, penetrating even the prisons of Ireland. They have even approached men under sentence of penal servitude for life, and promised them liberty and fortune if they would give evidence, true or false, in support of their cause—evidence which might result in the ruin of the political opponents of their unscrupulous employers. This was the structure set up by the present Government, and it is falling in ruins about their heads. I do not presume to comment at present on the evidence of the police. We must wait for the Report of the Commissioners. But there never has been anything in the history of Parliament more carefully examined than will be the evidence of these policemen. The House will have very little time for any other business next Session. Hundreds of the force have been in London for months together in order that their statements might be finished to the artistic point. This course has only supplied proof how well the public of Ireland could get on without the police. If it is true, as the Chief Secretary says, that Ireland has never been so peaceful, I would suggest that the reason is that so many agents of provocation from "Don't-hesitate-to-shoot Plunkett," down to Sergeant Johnson, Mr. Soames's cashier, who was kept in the service of the *Times*. I think that, considering these officials received treble pay from the *Times*, it is too much to expect that they should be paid by the country at the same time.

I lay it down as a principle that, if these men were receiving treble pay in London, it is not necessary that they should also receive compensation from the country. £20,000 is a reasonable estimate of the sum that they have received from the *Times;* and I submit to the intelligence of the House and of the British taxpayer that I make a reasonable Motion when I move that this Vote should be reduced, not only by £63,000 for extra police, for which the right hon. Gentleman has shown there is no further occasion in Ireland, but also by the £20,000 —[An hon. MEMBER: £40,000]—no, £20,000; I will be moderate in my estimate—but also to reduce it by £20,000, which I take to be the amount of money included in the Vote for the pay of the police of various ranks during the time they received treble pay from Mr. Soames. The right hon. Gentleman let fall—no, I will not say that, as it implies inadvertence; but he ejected a statement last night that there never was a period within the past 10 years in which the people and the police were on better terms than now. There is nothing more grotesque than that in the *Arabian Nights.* The right hon. Gentleman said—

"In the course of a few months, the relations between the people and the police will be as cordial as the relations between any police and people on the face of the globe."

I can assure the right hon. Gentleman that if the present policy of the Government is continued, the relations between the people and police in Ireland will be not only cordial, but that they would be exceedingly warm, and before the winter is over, it may be possible to describe them as hot. I do not offer any general assertions on the subject; but I refer to specific facts when I ask, do hon. Members opposite think that the course of affairs in Ireland during the past year has been such as to permit of good terms between the people and the police? I believe that very many of the police would like to be on good terms with the people if they were allowed; I believe the majority would like to confine themselves to their duty, but they are degraded by the Executive; they are degraded by the spirit of mocking insolence of the right hon. Gentleman which he has introduced into his administration in Ireland. They are taught that if they confine themselves to their duty they will be neglected, they will be degraded, and that the only way to secure favour is to attack the people and to assail their Representatives. I quote as an instance the case of Sergeant Dillon, who was in command of a party of police at Falcarragh, and who, knowing there was no occasion for his men, went back to his barracks. Was he promoted? That man was reduced; he was disgraced. No; I never knew an Irish policeman to be promoted for saving life; but I know of Irish policemen saving life and getting the medals of the Humane Society, and still left sub-constables all their lives. I have found Irish police to be promoted for taking life away. Take the case of Dr. Tanner. Was the treatment of Dr. Tanner such as tends to promote good relations between the people and the police? Three times he has been compelled to enter a prison van, and the right hon. Gentleman has defended that shameful course by a statement which is absolutely untrue. The right hon. Gentleman said that Dr. Tanner had been obliged to enter a prison van because, on a previous occasion, he refused to enter an open break. What is the fact? On a certain occasion Dr. Tanner was, with others, being escorted in custody by police. The prisoners were asked to enter an open break. All of them, except Dr. Tanner, refused; he did enter it. The Inspector of police whom Dr. Tanner is alleged to have assaulted has been allowed, on three subsequent occasions, to gratify his spite by forcing Dr. Tanner into the prison van, on the last occasion with such unnecessary violence that my hon. Friend became insensible. Is that a course likely to promote a good feeling? When will we hear the last of the suggestion that the crowd which went to the station to welcome Mr. W. O'Brien might have stayed to rescue him? Mr. W. O'Brien——

THE CHAIRMAN: Order, order!

MR. SEXTON: I merely referred to the hon. Gentleman by name to save time, and because it is more convenient. The hon. Member for North-East Cork does not wish to escape from the Government, but the Irish Government wish to escape from the hon. Member; it is they who are on the run, not he.

Does anyone doubt that the Government would be glad to place the whole of the secret service money for one year in the purse of any agent who would rescue them from the hon. Member, provided that the rescue were made so effectual that there was no chance of the hon. Gentleman ever again falling into their hands? If the hon. Member were only willing to navigate the globe, or to discover the North Pole, I have no doubt the Government would be happy to place at his service one of the troopships they refused to the Lords and Commons the other day. The whole procedure of the police at Cork discloses a set design to provoke a breach of the public peace. Having ample notice of the meeting at Cork, they did not suppress it till the Saturday. They could easily have arrested the hon. Member earlier than they did; but they waited till his return, when a crowd had assembled to welcome the hon. Gentleman. Who was the Inspector in charge of the police on the occasion? Was he a man of discretion and experience? No; as in the case of the arrest of Father M'Fadden, the arrest of the hon. Member for North-East Cork was confided to a man of slight experience in his post and of amazing indiscretion. Mr. Concannon has only recently been made Inspector. A couple of years ago he was a constable engaged in political detective service—the kind of service which secures promotion in Ireland; and I have a letter from a gentleman of position, in which he informs me that Inspector Concannon is well-known to be a man of a singularly infirm temper and a most ungovernable disposition; that less than a couple of years ago in Roscommon, being in the same lodging at the Assizes with a police reporter and a Protestant Unionist named Atchison, a shopkeeper in the town, and others, he not only annoyed the company in the most extraordinary way, but he absolutely made a furious attempt on the police reporter, and when Atchison interfered, he remarked, "Wait till I get my long sword; I'll cut your head off." Before the arrival of the train at Cork, the Inspector went up to the Member of Parliament and drew this long sword, and that was a signal for the police to baton the crowd who wished to see Mr. W. O'Brien. There is not the shadow of a pretence for saying that the crowd exhibited any disposition to resort to violence. It is also absurd to say the police did not know the hon. Member for Monaghan (Mr. P. O'Brien); they knew him well; the crowd had made way for him; and it was because they knew him, and because of the services he has rendered to his country that he was made a victim. The Chief Secretary has chosen to ridicule the suffering of my hon. Friend. It is in accordance with his policy; he will break an opponent's head and then crack jokes at him. There is nothing whatever inconsistent in Mr. P. O'Brien being able to go out for an airing, and yet too unwell to attend a Magisterial examination. The Chief Secretary should not judge others by himself, knowing that if he has the slightest cold nothing will induce him to get out of bed. The animus of the police is shown by the fact that they did not put Mr. W. O'Brien into a vehicle, but they compelled him to walk through the streets in the midst of an excited crowd. They took him by train to Limerick Junction, well knowing that bodies of people would be returning by that train. It was natural that at Mallow, the hon. Gentleman's birthplace, the people should wish to see him. In the pressure a window of the carriage was broken. At Buttevant Mr. Concannon was in such good temper that he allowed the door to be opened, and permitted a townsman to make a speech to the hon. Member for North-East Cork. By the time the train reached Charleville the blinds were down again. It was midnight, but there were people on the platform. The people of Charleville, however, could not know Mr. O'Brien was in the train, because the telegraph office had been closed since 10 o'clock in the morning. The theory that they did involves the suggestion that the telegraph clerk had remained voluntarily in the telegraph office all day till midnight, waiting to tap the wires, and so discover news, which nobody anticipated, of the arrest of Mr. O'Brien 100 miles away. There was a band on the platform to welcome back some fellow townsmen. The band were so ignorant of the arrival of my hon. Friend that they played two airs before they approached the carriage in which he was seated. There were three bodies of police in the train, and in the middle of

the train were the police who had my hon. Friend in charge. The head porter and his assistant proceeded to check the tickets of the passengers, and beginning at either end worked towards the centre. The head porter coming to the carriage in which the police were, and asking for tickets, was referred to the Inspector, and together the porters came to the carriage where the prisoner was. The head porter asked for tickets, the sub-Inspector made an insulting reply, giving neither tickets or explanation. Has nobody any duty under the law but a policeman? Has a railway porter no duty to his employers? Was it not his duty to ask for tickets, and to demand an explanation if none were forthcoming? Would he not have been liable to a penalty had he neglected his duty? The Inspector refused any explanation, took the head porter by the throat, and flung him out on to the platform. All this can be proved by 20 credible witnesses. And then the Inspector fired his revolver in the man's face. This was the beginning of the firing. The right hon. Gentleman the Chief Secretary was, I thought, very faint in his assertion that there was firing from the crowd, and I think, on reflection, he will hardly maintain that assertion. Is it to be supposed that a peaceful crowd, coming with a band to meet their townsmen, having no idea that there was an eminent political prisoner in the train, would come armed with loaded revolvers? So little was the fact of my hon. Friend being in the train known in Charleville that even the two policemen, the almost invariable figures on every railway platform in Ireland, were not to be found there. The sub-Inspector fired his revolver, and made this attack on the porter because the latter asked for tickets. Why, the man must have been beside himself. Reference has been made to his behaviour at Roscommon two years ago, and I think it is shown that, as in the arrest of Father Mc'Fadden, an officer was selected to make the arrest who was most unfitted by infirmity of temper and excitability of disposition for the duty, and whose conduct was almost certain to provoke a breach of the peace. The Inspector gave no order to fire; but as soon as he had fired one of the sergeants who was between my hon. Friend and the window got up, fired his revolver, and, effecting a strategic movement, took up a position on the other side of my hon. Friend, from whence firing would have been equally fatal, but if any firing had come from the crowd, my hon. Friend would have been the first to feel the effect of it. The other sergeant fired, and so three revolvers were discharged from the carriage; and meanwhile the train began to move. The right hon. Gentleman professes that the police were afraid of something, but of what were they afraid? They had passed Mallow, they had passed Cork and Bandon Stations, and there was no one in the crowd foolish enough to wish to attempt to rescue my hon. Friend, who would not permit himself to be rescued from a Government who were far more afraid of him than he of the Government. It is an absurd pretence; the shots were fired not from any fear of rescue or attack, and certainly one of the shots was fired after the train was in motion. And then began the organisation of the defence. The right hon. Gentleman says Inspector Concannon was hurt. We heard nothing of that at the time. He said nothing about it; it was an afterthought. There was a dent upon his helmet, but the valuable frame of the Inspector was then uninjured. When the train had moved out of the station the police began to organise the defence of their conduct, and the Inspector remarked that the crowd had fired. My hon. Friend denied this, but the Inspector asserted that of the three shots only two were fired by the police. "No," said my hon. Friend, "three shots were fired from this carriage; examine the question now." He compelled an examination, and it turned out that the police fired all the shots as I have said, and their smoking revolvers testified to the fact. At Limerick Junction a search was made to find the bullet supposed to be fired at the carriage. It was not found, nor will it be found; they were all police bullets that were fired. Is it not sad to think that after all this reckless, breathless haste of arrest, of hurrying to catch the night mail, of charging and batoning one crowd, firing on another crowd, after all this, my hon. Friend is left at Limerick Junction in charge of a Police Inspector who happens to be a man of sense. He passed from the charge of Inspector Concannon to the charge of Inspector Carter. We

speak of the police as we find them; we praise or condemn them as their conduct deserves, the one or the other. Inspector Carter was waiting to receive his prisoner. Did he get up any scene of excitement and violence? He took Mr. O'Brien on his gig—this man whom the people of Ireland were supposed to be bent on rescuing—and drove him without escort to Tipperary, took his prisoner to his own quarters, and then sent for the Stipendiary Magistrate to take bails. It is a very curious commentary on the state of society in Ireland that the Inspector, having sent for the Magistrate, completed the process by sending for the bails, and these two gentlemen were the parish priest and the Chairman of the Town Commissioners. The Magistrate asked the hon. Member for North-East Cork politely how he was; my hon. Friend said he was very well; the local gentlemen provided bail, and the end of all this breathless hurry and excitement in the conveyance of a political prisoner from one end of the county to the other was that my hon. Friend was asked to appear for the preliminary hearing at the end of a fortnight, and for the hearing of the case at the end of seven weeks. And this was the man whose rescue was feared at the hands of an excited people, and to prevent which the police were prepared to take human life. He was given a period of seven weeks to consider whether he would escape or not. Now, I think I am entitled to say that from the beginning to the end of the business there was a manifest design to provoke the people and disturb the public peace. Could anything have been simpler than if the Government wished to vindicate the law to have left out Inspector Concannon, with his long sword and his eccentric behaviour, and to have entrusted the arrest to a man of sense like Inspector Carter, avoiding all this disgraceful behaviour and attack on public life on the part of the police? I say that the pretence that good feeling, under such circumstances can be maintained between the people and the police is audacious in the extreme. Look at your treatment of the priests. If there is one thing more than another upon which the Irish people are sensitive it is the treatment of their clergy. How have you conducted the arrests of priests? By breaking into their houses, by arresting them in the midst of their congregation. Father Keller's house was broken into in the grey of the morning. Father Clark was arrested at two in the morning at the house of a friend. If I were to read to the Committee a letter from Mrs. Damin at whose house Father Clark was staying, if I quoted the indignant terms in which this lady protests against the alarm and excitement created by the needless entrance of the police in the middle of the night, when the arrest could have been made in the middle of the day, then the Committee would understand how little reality there is in the pretence of good feeling between the people and the police. In like manner Father Farelly's house was broken into at five in the morning. For five weeks did the police hold the warrants for the arrest of Father Clark and Father Farelly. They did not wait to avoid arrest, they said they were ready to be arrested. They walked about the streets of the town, they passed the police every day, and the police saluted them. But after five weeks' waiting the police arrested Father Clark at two in the morning at the house of a lady where he was staying, and they arrested Father Farelly by breaking into his house at five in the morning. I ask what is the object of such procedure? What other object can there be except to provoke such a state of feeling among the people of Arklow as will render the maintenance of good relations between the people and the police impossible? For many a day the arrest of Father M'Fadden will not be forgotten in Ireland. Twice he was arrested. On the first occasion, in the midst of his colleagues as he was leaving a Diocesan Conference, in which, with his brother priests, he had taken part. On the second occasion he was arrested under circcumstances which have been brought to the attention of the House, and when the officer making the arrest lost his life. The police on that occasion waited until noon on Sunday, and then when they were in force sufficient to conduct one of your small African wars, as Father M'Fadden, after the celebration of religious service, issued from the church in soutane and biretta, the usual garb of office, and was surrounded by his congregation, they waited until the moment when the sentiments of respect and veneration the people had for their

pastor had reached the highest pitch of exaltation, and then the officer seized the priest by the collar—this priest who was only too anxious to go with him, and who hastened to shorten the scene—and waving his sword, the police officer gave the excited people the impression that he was striking their priest and the unhappy consequence was the officer lost his life. The blood of that officer is upon the head of the Government. They selected a man who was as unfit as any man in Ireland for the discharge of a difficult duty. He lost his life, and the responsibility of that rests upon the Government, while the suffering is with the people. The hon. Member for South Tyrone (Mr. T. W. Russell) attempted to make light of these things yesterday, but I think the hon. Gentleman might have allowed himself an interval of repose after his return from the hearing of a libel action in which he came off second best, in which he was forced to admit that he had made a false charge, and he postponed the admission of the falsehood until it was wrung from him on oath. I trust that this result will have some effect in future upon the value of the communications from the hon. Gentleman the Member for South Tyrone. The hon. Gentleman fell into the error of relying upon that kind of evidence that the Chief Secretary is in the habit of giving us at that Table. The information is given us from anonymous sources, but of course it comes from the police. The hon. Gentleman, misled by example, mistook the evidence of Mr. Commissioner Cameron for truth, and found he had uttered a libel. Failing in his libel outside the House he has made an attack here upon my hon. Friend the Member for South Donegal (Mr. MacNeill), and though there is the advantage to him that for a libel inside the House he escapes responsibility, there is also this disadvantage that the libel is liable to be sooner exposed. We have had a description of the state of affairs in Donegal. When a murder was committed the police came to the conclusion that a certain number of men had nothing to do with it, and that the rest of the people had. The few people who were believed to be innocent received passes and were allowed to proceed along the highway, but the other people were assumed to be guilty, and were liable to be stopped and, if they had no pass, to be taken away from their work to the police barracks. To this treatment the police subjected two poor men as they were gathering seaweed on the seashore. They had no thought of police passes; their thoughts were of their wives and children, whom they supported by their precarious toil. They were hauled off to the police barrack, and when allowed to return to their work, they found the sea had washed away the result of their labour. Domiciliary visits were made at night. Such a visit was paid to the room of women lying in the pains of pregnancy. Before and after the birth the police tramped across the room and on the bed, turned over the bedclothes of the children, and held a gun to the head of a girl of 13 to frighten her into answering questions. This, I say, is worse than Siberian espionage. This torture is inflicted upon the people because of the loss of the life of an official by a course of proceeding for which the Government are responsible. These revelations show that the Police Force in Ireland has been degraded, deliberately degraded, I believe against the will of its members, from a position for performing its true functions—the preservation of order, the protection of property, and the detection of crime—to a position in which it is the servant of a social class, the agent of extortion, and the instrument of suppressing political rights and attacking the Representatives of the people. The pretence that there is good feeling between the people and the police is as unfounded and grotesque as any that ever proceeded from the lips of any Minister. No doubt, at the moment, the police, who are agents for carrying out the will and designs of the Chief Secretary, have things their own way and receive favour and promotion; but I warn all concerned that this Government is but a perishable commodity, and that even in the Constabulary Force where, now, men like Concannon flourish in their achievements, the turn of the honest man, of the faithful public servant who does his duty and no more, will come. I beg to move the reduction of the Vote by the amount I have mentioned, made up of the two items £63,600 and £20,000.

Motion made, and Question proposed, "That a sum, not exceeding £805,771, be granted for the said Service."—(*Mr. Sexton.*)

MR. MAURICE HEALY (Cork): With a full sense of my responsibility as representing the people who were so brutally ill-used, I say that the police had no more justification for their attack at the Cork Station than they would have were they to charge into this Chamber at this moment. I was at the station myself five minutes before the train arrived, and had not the slightest expectation of the arrest of the hon. Member for North-East Cork. It is altogether false to say there was anything like a large crowd assembled. There was a considerable force of police drawn up in two files on the platform at the place where the train was expected to stop, and I state in the most positive manner that at the moment the train arrived, the number of people did not exceed four times the number of police present. There were about double the number of people who on ordinary occasions are in the station on the arrival of a train, and the reason was that there was not the slightest knowledge among the bulk of the people that my hon. Friend was in the train at all. Had it been known, undoubtedly there would have been a large crowd at the station. I do not wish unnecessarily to make charges against the police; but the facts that came under my notice, almost irresistibly drive me to the conclusion that so far from desiring to avoid a collision with the people, they deliberately made arrangements to provoke such a collision. If they had wished to arrest my hon. Friend without the knowledge of the people, if they had wished to prevent any demonstration, if they had wished to exclude from the station all but the people who had business there, nothing would have been easier than for them to have done so. But, instead of that, they attracted attention by drawing up their police force at the station, and when the train arrived Sub-inspector Concannon went forward and arrested my hon. Friend as he alighted from his carriage, and I say, in the most positive manner, that until that moment there was scarcely an individual on the platform had the least idea that my hon. Friend was there. Naturally, the people surged forward, and they raised a cheer, but that was the utmost of their offence. There were no stones thrown, no blows struck; there were not even offensive cries raised against the police; the people merely surged forward with the natural desire to welcome my hon. Friend and congratulate him on his return after triumphing over the authorities in their attempt to prevent him from addressing his countrymen. Without warning, the police turned upon the people with the butt-ends of their rifles, and I confesss I was appalled. I have read from time to time accounts of police savagery; but I confess I never thought that a body of men, drawn as they are from the Irish people, could, without provocation, have treated the people as did the police on that occasion at the Cork and Bandon Station. But I confess that after what I saw on that occasion I shall never have any difficulty in the future in believing stories of police savagery. I heard no order given to charge, and I had a perfect opportunity of seeing what went on. The suggestion that there was any attempt at rescue, or any idea of rescue, in the minds of the people is absolutely grotesque. The people were not in sufficient force to effect a rescue from even four policemen, let alone to rescue a prisoner from 20 or 25 armed men. I shall never forget the spectacle of decent and unoffending citizens struck down without even an order to the effect having been given, as far as I could hear, and lying groaning and wounded on the platform of the station. I now wish to say a word as to the attack on my hon. Friend the Member for North Monaghan (Mr. P. O'Brien). The right hon. Gentleman says the police did not know my hon. Friend.

*MR. A. J. BALFOUR: If my recollection serves me rightly, what I said was I had no official information as to how the assaults occurred, and I think it possible that the police did not know him by sight.

MR. M. HEALY: I think the right hon. Gentleman must have forgotten an answer he gave to this House on the subject. Does he forget that he told the House that Mr. Concannon went up and addressed my hon. Friend, knowing who he was before the arrival of the train in the presence of his men? The right hon. Gentleman ought, at any rate,

to try and make his narrative of what occurred consistent. My hon. Friend the Member for West Belfast (Mr. Sexton) has said there is the strongest reason for saying, not merely that the police knew my hon. Friend, but that they assaulted him because they knew. What is the fact, sir? My hon. Friend was assaulted on that occasion no less than three different times, and if that does not imply a deliberate intention, I do not know what does. He took a statement from my hon. Friend soon after he had recovered, and his statement was that he was first assaulted at the platform while he was in the act of speaking to my hon. Friend the Member for North-East Cork (Mr. W. O'Brien), by getting a violent blow in the back, which was exceedingly painful, but did not produce any wound. The Member for North-East Cork was seized and marched out of the station, and the Member for North Monaghan went after him to obtain an opportunity of conferring with him when he should be taken to the police station. My hon. Friend had hardly got out of the station when he was assaulted a second time, receiving a violent blow on the back of the head, which produced a severe wound and resulted in great effusion of blood. While my hon. Friend was staggering under the effects of that blow and trying to get out of the crowd, he was assaulted a third time by a third policeman. He was the only member of the crowd assaulted three times, and that being so, I say there is strong ground for the supposition that the police assaulted him because they did know him. I confess that, with all my experience of the right hon. Gentleman, I was surprised at the way in which he dealt with what happened to my hon. Friend. Captain Plunket himself had the grace to send and inquire after my hon. Friend, and to express his regret for what had occurred; but the right hon. Gentleman, so far from doing that, sneers and jeers at the injuries which my hon. Friend received, and suggests, practically, that my hon. Friend was malingering because he was unable to go into Court on the occasion of his trial. Again, I can speak from personal experience. I saw my hon. Friend the night he was wounded. He was lying in bed insensible, and if he was malingering he acted his part remarkably well, because he deceived not only me but some of the most eminent doctors in Cork. I saw him also several times during his illness, and, although after a time he was able to go about, I can assure the right hon. Gentleman that he was very far from having recovered from the very serious injuries he received at the hands of the police. The suggestion that my hon. Friend was malingering is most disgraceful, and brings discredit on the right hon. Gentleman who makes it, and I think the right hon. Gentleman himself will see that it is neither an honourable nor a manly thing to say. I have only one more word to say on the subject of this Police Vote. With regard to the brutality of which the Irish police have been guilty during the past two or three years, I believe a great deal of it arises from the fact that they are encouraged by the Executive to indulge in strong drink. Two or three years ago it would have involved serious disgrace on an Irish policeman to be found drunk when on duty, but now they are on all occasions encouraged to drink, and, unfortunately, no encouragement is necessary. It is inevitable they should, under existing circumstances, drink to some extent, but so far from that tendency being suppressed it has, for obvious reasons, been encouraged. I believe that if the men at the Cork Bandon Station had not been under the influence of drink they would never have indulged in the disgraceful proceedings which then took place. They have almost entirely stopped attempting to enforce the licensing laws in Ireland. I have been always an advocate for temperance legislation, and have always supported proposals for the closing of public houses on Sunday and Saturday night; but I confess that my belief in legislation of that kind has been seriously shocked by the total neglect of the Irish police in the past few years to enforce the existing laws on the subject. The allegation which the right hon. Gentleman has made, that there are at present good relations between the Irish people and the police, is outrageously and grotesquely false, and the policy of the right hon. Gentleman has been, and is, to make those relations more and more strained. I will take the earliest opportunity of saying in Ireland that if proceedings such as those which took place

at the Cork and Bandon Station are to continue, I will advise my constituents and Irish people to avoid collisions with the police if possible, and to avoid putting themselves into positions in which the police can make assaults of this kind upon them; but if they are compelled to go into situations in which there is danger of their being attacked by the police to go armed with such weapons as will enable them properly to retort for the attacks made upon them.

*Mr. O'KEEFFE (Limerick): I rise not alone as the Representative of one of the principal cities in Ireland, but also as having held the office of its Mayor or Chief Magistrate for the past three years. It will be readily understood that my official duties have brought me almost daily in contact with police administration. I do not wish to indulge in generalities; but I must repeat what has been said to the effect that the police force in Ireland is not, in the ordinary acceptation of the word, a police force at all. It is an army of 13,000 men, maintained, not for the protection of the persons and the property of the people, but for the sole purpose of upholding the policy of exasperation and coercion so unblushingly and persistently advocated by the right hon. Gentleman. During the short time that has elapsed since my election to this House I have observed the great difference between the police system existing in this country and that in Ireland. Here the police are under municipal control. They are the servants of the public. In Ireland they are the masters, and I regret to say that the word "policeman" in Ireland is synonymous with everything that is odious. Let me give the Committee a few facts regarding police statistics. In the City of Limerick, which has 39,000 inhabitants, we have 95 police. I find that the City of Lincoln, which has a population of 38,000, has only 40 police; that Yarmouth, with 48,000 inhabitants, has only 52 police; Northampton, with a population of 52,000, has 60 police; and Lichfield, with a population of 8,000, has only eight police. In villages in Ireland, with a population of not more than 2000, I have often seen 11 or 12 policemen. The criminal statistics laid on the Table of the House a few days ago show an extraordinary state of things as to crime in Ireland. One would think that crime must exist to a large extent in a country when the Government came to Parliament and demanded a large sum for its prevention. Yet what were the facts? Take the City of Limerick, about which the hon. and learned Gentleman the Solicitor General for Ireland has given some interesting criminal statistics. The net number of indictable offences during 12 months were only seven, and of these not one was of a particularly serious nature. When analysed the proportion of serious crime appears to be 1·8 to 10,000 of the population. Although we have four Quarter Sessions for the trial of indictable offences and two Assizes, there has been hardly any work for them to do. As regards the cases dealt with summarily by the Magistrates—of which I have most experience—I can say that there has not been one of any consequence, and even such cases as drunkenness and assaults, which are the ordinary cases that arise in a large city like Limerick, show a decrease of 544. And I would remind the House that Limerick can be taken as a typical city, for not only is it the capital of its own county, but, from its situation, it is a centre for all the surrounding counties—for Clare, Kerry and Tipperary—so that on market days and holidays the population of the city will number probably 80,000. Having shown the immunity of this town from crime, I would ask how the Government pay tribute to the crimelessness of the place? Why in this city, where we are tired of giving our Judges white kid gloves, we are under the most stringent clauses of the Coercion Act; there is no right of public meeting there; the Resident Magistrates can at any moment set aside the ordinary law if they wish to try a trumpery assault; and we have an excessive number of policemen in our midst. The Town Clerk of Limerick, in a letter I have received from him only to-day, says that the Government make a demand on the city—which already has enough to do to bear its own local burdens—for £3,000 being the cost of the extra police which they have sent to the city "to preserve law and order." Everybody must see the injustice of that tax, and it is hardly necessary for me to say that Limerick will never pay a single penny of it. And now I would refer to a disturbance which took place in Limerick a year and a half since, and I am obliged to do

it because of the statement of the Chief Secretary as to the peaceful condition existing between the police and the people in Ireland. A year ago last November, on the occasion of the unveiling of a monument in Limerick to the memory of the Manchester Martyrs, a meeting was proclaimed by the Government. The meeting was proclaimed at the last moment, and soldiers were sent there—even Artillery—to prevent it. On the night the meeting was to have been held, a sort of disturbance broke out; there was a kind of riot, windows were broken, and other property was damaged. Those people who had suffered loss in this way made the usual presentment for compensation, and the Corporation, who were the Local Authority, had to decide whether or not the claims were well founded. Witnesses were examined, and the cases were gone into thoroughly. The damage amounted to about £1,000, and this the Corporation would have had no objection to pay, had it not been shown that the property wrecked in Limerick was not unwrecked, by what you would call rioters, but by the police themselves. Most respectable inhabitants proved that they had seen the police throwing their batons at the windows, some of which were worth as much as £50 a piece. The Corporation refused the presentment. The case came before Judge Holmes at the March Assizes, who considered himself constrained to pass the presentment, no matter who the rioters had been. He held, however, that the police had been the rioters on that occasion. The right hon. Gentleman the Chief Secretary is well aware that the citizens of Limerick several times called upon him to institute a local inquiry into the inception of the disturbance and the circumstances attending it, but it was refused. Another little circumstance I would mention. On the occasion of that demonstration, certain flags of a most harmless nature were put out of the window of a private building. Colonel Perse, one of the excitable Magistrates in command, took offence at that, and ordered the police to enter the private house and remove the flags. The police did as they were ordered. The owner of the House summoned the police for trespass, and the case came before the Petty Sessions, and he was fined, with an alternative. The conviction was reviewed in the Queen's Bench, and I remember that Judge O'Brien laid it down that a constable had no right to enter a private meeting, and that those who prevented his entering by force were in the right. I call attention to this to show that even under the existing system in Ireland we are advised that the police in carrying on their illegal action can be legally and properly repelled by force. The right hon. Gentleman the Lord Mayor of Dublin has referred to a case in which perjury was established against a constable at Drogheda, and I may state that I was myself present during the trial of Mr. Sheahy, a Member of this House, who though he offered good bail for his appearance next day was met by a policeman named O'Malley, who, at the instigation of the Magistrate, whose name I cannot at this moment recall, swore that he had reason to believe that Mr. Sheahy, if allowed to go on bail, would not attend the meeting of the Court on the following day. This was perjury of the most appalling and open kind perpetrated under what was supposed to be the protection of the law. In conclusion, I would say, with regard to this Constabulary Vote that a more unpopular vote never is and never was presented to the House of Commons. Whatever may have been said by the right hon. Gentleman the Chief Secretary, I can see no trace of anything like reconciliation between the police and the Irish people. I do not so much blame the Constabulary for this, although there can be no doubt that individual members of the force have acted in certain cases with great brutality; but, on the other hand, I do accuse the Government of having been the cause of this alienation of feeling. If the Government continue to proceed as they have done they will never gain the respect or confidence of the Irish people. They may double the Constabulary Vote, or make it five millions if they like, and they may increase the strength of the Police Force to 50,000 men, but they will never gain the respect of the law-abiding people. I say that the whole Constabulary system of Ireland is rotten to the core, and as long as I occupy a seat in this House I will never cease to raise my voice against it.

Moreover, I say that the action taken by the Irish Members on this question will be applauded by the Irish people from one end of the country to the other. We have nothing to gain by coming here; but at the same time we should be guilty of almost criminal conduct if we did not attend in our places and tell the right hon. Gentleman the Chief Secretary that he is not a fitting interpreter of the feelings of the Irish people, and that as far as we are concerned our votes and our voices will never cease to be against his policy.

MR. E. HARRINGTON (Kerry, W.): This is practically the first occasion during this Session on which I have had the opportunity of inflicting any observations upon the House. I find that I have now to address my remarks to a single occupant of the Treasury Bench (the Solicitor General for Ireland). I think the speech which has been delivered by the right hon. Gentleman the Lord Mayor of Dublin (Mr. Sexton) was so full, frank, able, and concise a statement of our case against the Government that we might fairly have been willing by that statement to stand or fall; and I challenge any hon. or right hon. Gentleman on the opposite side of the House to adduce any reasonable arguments in reply to it. But, following the example of the hon. and learned Gentleman who spoke last, I, also, will venture to localise my share in this Debate by bringing it within the four corners of the county which has the distinguished honour of being a kingdom in itself, and talking of the pranks played by the Royal Irish Constabulary in the Kingdom of Derry. During the last days of 1888 I had to accept the hospitality of the right hon. Gentleman who is at the head of the Irish Executive, and from that moment until I was released in February, by the gracious privilege of an inequality of the law, one day before my time, I had no knowledge of what was going on in the world outside. Since that time, however, I have learned a good deal of what has taken place with regard to the police, and I believe that if hon. Gentlemen on the opposite side of the House, will, after what is expected to be the early closing of Parliament, go to the County of Derry and there study the doings of the Government, many an honest vote will be diverted from the present Administration by the disgusting scenes they will be sure to witness. Why has the Chief Secretary never had the courage to visit the most disturbed county in Ireland, in which, I allege, 20,000 people have been evicted in the last 10 years? He has been represented there by the representative of that "old and particular friend" of the First Lord of the Treasury, Mr. Soames, who went there, employed Police Pensioners, and scattered gold all over the place in order to get false accusations made against me. These accusations have failed, but that is the only way in which the Government have been represented in the County of Kerry. My first experience on going back to that county after a period of enforced absence was an extraordinary one. Of course, I had a legal right to go to my own residence in my own constituency. The first thing I saw when I alighted on the railway platform was that a man who approached the train in order to shake hands with me, was struck under the ear by a policeman for that awful crime. The crime which I had committed, and for which I had been so heavily punished, was publishing in my own paper a report of a meeting of a suppressed branch of the National League, and I venture to suggest that this treatment on my return home was an evidence of moral cowardice and meanness, as well as of the vindictive spirit and enmity of the Police Force. That happened on the tenth of last month. I went to my residence accompanied by a few hundred people. I was told that a band was out, but I did not wish to be a party to any demonstration, for I knew that the danger of gathering the people together was that they would be batoned by the police. Now the

police deliberately laid a trap there in order that they might assault peaceable people. They drew up at the entrance to the street in which my house is situate a cordon of police, and in front of the window at which I was standing they planted a police note-taker with a few policemen around him, as if to intimate to the people they intended to take down any words I uttered and to prosecute me for them. It was churlish enough to suggest I was to be so quickly again prosecuted under such circumstances, but still, I did not mind that. What, however, did the police do? As soon as they had, by means of this trap, gathered a few hundred people together, they, without any note of warning or order, as I solemnly assert, clubbed their guns and began to smash people on the head with them. I saw old women knocked down and kicked by policemen when they were on the ground, and these fine brave fellows, this noble force of men, of which the Chief Secretary for Ireland is so proud, acted in this brutal fashion. Mind you, I think there is no force in the world which would not be brutalised under similar circumstances, for the greatest liar of the force, the concocter of stories and the manufacturer of reports is certain of promotion and of being defended in this House by the right hon. Gentleman the Chief Secretary. We are accused by hon. Gentlemen opposite sometimes that we are always harping on the same theme, but I venture to say that in no other country in the world can such a picture as this be seen—in no other country would the police dare to charge an unoffending crowd which has simply assembled to welcome home their Parliamentary representative. Had the police had the courtesy to intimate to me that if I addressed the people it would be dangerous for them, I would have induced the crowd to disperse, but instead of that they laid a trap for me by placing a Government reporter under my windows in order to lead the people to believe that I was to be permitted to speak. We were told last evening that the relations between the Irish people and the constabulary are very cordial at the present moment. They are very close, at any rate, for the police are frequently using their batons and rifles on the heads of the people. Then we have a system of shadowing people in the County of Kerry, and I believe that if the representatives of the taxpayers of this country could see the system under which this Police Force is administered, they would call for the abolition of the force. We see men in silk hats knocking about in all directions; policemen in uniform are plentiful, but policemen in all sorts of fancy costumes are still more numerous. They may be seen flying about on bicycles, and you may depend upon it they are not engaged in the detection of ordinary crime. We are told that 3,000 threatening letters are alleged to have been written in the County of Kerry. Now, these letters must be in the hands of the Government, and the only persons who have been brought to justice for writing them, so far, have been two women and a simpleton. This is all that the police have been able to detect in 10 years. Now, I have an offer to make. Let the Government give us possession of these letters for a fortnight, and I venture to say that we will bring many persons to justice. It was well said by the Lord Mayor of Dublin that no policeman in Ireland has ever been promoted for saving life. They are only promoted when they injure the life and limbs of political opponents of the Government. For those acts they are both promoted and rewarded. On the occasion when my newspaper plant was seized, fifty policemen were placed in charge of my house and took possession of all my books and papers and private letters. About thirty of them lived with me for nearly a fortnight in an undecided state of mind as to whether they should arrest me. It was just like the occupation of Egypt. They could not make up their minds whether they were going to leave or to stay. Now, each one of those thirty men have since been rewarded or promoted for the simple service of occupying my house. Policemen who perjure themselves also gain promotion, and notably there is the case of police constable Clark, who is now apparently in the highest confidence of the Government. Now, I wish to relate an incident which happened before my temporary absence from the County Kerry. While the *Times* case was being placed before the Special Commission, a land agent

from Killarney gave certain startling evidence, and some young men in the town of Killarney thought they would assist in the investigation of that evidence. They therefore went out to make inquiries of their friends and neighbours as to the facts which the witness had deposed to, but from the moment they started, they were followed and shadowed by policemen who obstructed them and obtruded themselves between the young men and the persons they were visiting. They went with them into private houses, and at last one of the young men ordered a policeman out of a house. He refused to go and the young man pushed him out and took the person's statement in the policeman's absence. As the young man was not the owner of that house, he was convicted of assault, and he was imprisoned for a week for that act. I assert that the deliberate purpose of the police on that occasion was to obstruct the obtaining of evidence for the Special Commission then sitting in London. They would prevent any evidence being obtained by our side, but they would be willing to get evidence for the side of the allies—the *Times* and the Government. This is a matter which the Government will have to deal with early next Session, and I can promise them they will have lively times. I believe they will be made ashamed of their allies, and of the use made by the *Times* of the Royal Irish Constabulary. I appeal to hon. Members not to set down our statements as wholesale imagination. Let them rather go to Ireland and see the course of events for themselves. Let them go as ordinary tourists and visitors, and not announce to the nearest Resident Magistrate that they are Tory Members come to watch the administration of the law. I pledge my word that if they do this, there will soon be a great revolution of feeling on the part of the Tory Party against the administration of the Police Force. I now wish to ask the right hon. Gentleman what reason he can give for the police, without warning on occasion after occasion, when any sort of gathering takes place in the County of Kerry, batoning the people of that place. And here I should like to interpose a few words as to another matter. I have here a telegram which gives us some proof at any rate that the acts of the Government underlings will not always be upheld by the Superior Courts of Justice. I have here a telegram which states that the conviction of Dr. Tanner for assault has been set aside. The second case against Dr. Tanner is still at hearing, but, adds the telegram, "It is all plain sailing now." Yes, Sir, it has been plain sailing with the right hon. Gentleman for a long time. He has taken care that nothing shall obstruct his navigation. It was plain sailing when he removed from his path the Member for North-East Cork. It was plain sailing for him when, after locking me up in gaol on one of the foulest and most extraordinary pretences ever known, he came down here and belied me in this House. But it will not be plain sailing for him any longer, and I do believe that even in that Party, of which for the moment he is the figure head, there will be an awakening conscience, and that they will realise that the policy which they are pursuing is not a policy of union, but that it is a policy of the baton in Ireland and of falsehood in Parliament. I now return to the conduct of the police at Kerry. By what right, I ask, did they assault the people of my constituency? Why was no warning given me that the people must disperse? I asked the Resident Magistrate there if there was any law to justify his proceedings, and, curling his moustache, he replied, "I do not know, I am sure." I have kept the people of that town from spilling blood, for I gave them my pledge that I would raise the question in this House. I hope now I shall get a satisfactory reply. I will leave that part of the subject. I have now to complain that policemen are needlessly and purposely taken from one part of Ireland to another; that they are plied with drink, and that then they are set on to mercilessly baton the people, while the constables who are acquainted with the locality are kept indoors; and this is what the right hon. Gentleman describes as nurturing cordial relations between the police and the people. I know of some remote district in Ireland in which the people stand in fear of the police. But is it to be wondered at, deprived as they are of every Constitutional right? The Government are to-day displaying

their mighty army of 26,000 men before the German Emperor, the master of millions, and to do that they are obliged to withdraw the Guards from London and put Lancers to do duty in their places. Why do not the Government make a proper use of the Royal Irish Constabulary? They could be easily drafted into the Army, which is their proper sphere, and then there would be no necessity to brutalise them as you are now doing. I have in my pocket two boycotting letters written by Mr. Cecil Roche, the nominal master of Colonel Turner, which were handed to the secretary of Tralee races by a sergeant of police, and this is the use you are making of the Irish Police Force. This act of this man in trying to instil hatred into the police force will carry its own revulsion of feeling against it, and I believe that decent men who have differed from us in past times in Ireland will see, after all, that it is the selfish policy of those who are administering the law that is estranging the people at the present time from the laws of the country. I will not inflict myself at any further length on the Committee. I was doubtful whether I should speak on this Vote at all. I assert that for 10 or 11 years I have never spoken at a meeting without securing protection for the police present; I have never consented to offering them violence or insult, and I am pained to speak of any section of my countrymen as I have done. But the temptation to them is great. If they do not treat us brutally they will not be promoted. It is by displaying their hatred of us and their animosity to any national feeling and to every instinct of humanity that they may expect promotion from those who have the feelings of the right hon. Gentleman the Chief Secretary for Ireland.

*MR. A. J. BALFOUR: It was my duty last night to address more than one long speech to the Committee, and I propose, therefore, to restrict the remarks I have to make to-day to the very narrowest limits, and to couch them in as uncontroversial a tone as the nature of the subject will admit of. I notice that something I said last night towards the close of my observations with regard to the increased good feeling between the police and the people has caused a good deal of irritation in the minds of hon. Gentlemen opposite. I believe that what I stated is the fact, and I abate no jot nor tittle of the assertion which I then made last evening. I should have thought that in every quarter of the House such an increase of good feeling would be desired; yet the statements made by hon. Gentlemen opposite with regard to the intemperate habits of the police and their reckless cruelty and brutality are not only absolutely unfounded, but certainly do not conduce to that harmony of feeling between the police and the people which hon. Gentlemen in their cooler moments must desire. Such speeches as that of the right hon. Gentleman the Lord Mayor of Dublin (Mr. Sexton), by the very violence of the language in which they are couched, must partly destroy the effect which they would be otherwise calculated to produce. The right hon. Gentleman has not only made the wildest accusations against myself personally, but he has emphasised the accusations against the police. The right hon. Gentleman directly charges the Government with the intention of doing all in their power to promote collisions between the police and the people, and with using, to obtain that object, all the powers of organisation at their own command. Further, he charges us with attempting to inflame the violence of the police by encouraging them in habits of intemperance. The right hon. Gentleman must feel that such accusations, however useful they may be on Irish platforms, are not suited to the atmosphere of the House of Commons. The right hon. Gentleman may attribute to me what motives he pleases, and he may draw a fancy picture of the Chief Secretary as a monster of political iniquity; but even

if we granted the truth of this caricature, if we put the morality of the Government at the lowest level, what could the Government, as politicians, gain by promoting conflicts between the police and the public? The right hon. Gentleman must see that, as far as we have political interests to serve, and as far as our conduct is inspired, not by a sense of public duty to the people of Ireland, but by our estimate of the mere political exigencies of the situation, we have everything to gain by promoting harmony between the police and the people, and everything to lose by the contrary course. To say that the Government are—I will not say so wicked—but so idiotic as to carry out the policy attributed to them is surely to shock the common sense of the Committee and of the English people. The Amendment deals with two points apparently new—the alleged excess in the number of extra police over what is required by the condition of Ireland, and the alleged impropriety of making payments out of the public funds to the police at the time when they were witnesses in the *Times*' case. Now, I stated last evening without special inquiry that I had no doubt that the same rule was followed with regard to the police over in London on subpœna, which is habitually followed whenever a member of the Public Service is called before any Court of Law. Having made inquiry, I find that this was the case. The rule is—that if a man be called away from home on duty, the ordinary pay will not be interfered with. If he receives, as is usual, from those who subpœna him, money to support him in his absence from home, no money is paid to him from the public funds for that purpose. This rule, which is founded on common sense, has been strictly adhered to in the case of police called before the Special Commission. They receive no extra remuneration from a public source for the additional cost of their support from home, because that cost was borne, no doubt, by the *Times*. The right hon. Gentleman desires that not only should these witnesses receive no extra remuneration, but that their ordinary pay should be cut off.

MR. SEXTON: My point is, that they received pay from the Crown in a period during which they discharged no duty to the Crown, but were receiving very considerable payment.

*MR. BALFOUR: The first point I have dealt with. I have pointed out that it is a necessary and, I think, a natural and proper rule of the service that the pay should not be stopped because a man is called away from his ordinary duties to exercise his functions as a citizen. As to the amount of remuneration given by the *Times*, I have no information to give the House, because I have no information myself. It was a matter that was arranged by the *Times* just as it is arranged by any party to a suit.

MR. MACNEILL (Donegal, S.): Will the right hon. Gentleman allow me to interrupt him for a moment? The right hon. Gentleman has frequently stated that in this matter there is no difference between the case of the men called before the Special Commission and the case of witnesses called before an ordinary Court. But other witnesses were given three days' notice by Mr. Soames when they were served. The constabulary were given no notice at all, and some of them were not subpœnaed at all. One man was kept over 100 days in London without subpœna. How is it that the constabulary witnesses were dancing attendance on Mr. Soames and the *Times* without any subpœna, whilst other witnesses were treated so differently?

*MR. BALFOUR: I am surprised at the interruption of the hon. Member, amounting as it does to a considerable and not unargumentative speech on a subject wholly outside the scope of the Amendment. The hon. Gentleman has attacked the constabulary for being in London without subpœna, but the Amendment is about the remuneration which they received when there. The ordinary rule was followed in the case of these men, and to depart from the habitual practice of the

Public Service would be to set an unfortunate precedent. The right hon. Gentleman also desires to cut down the Vote by the amount for extra police in certain counties in Ireland on the ground that because Ireland is said to be no longer in a disturbed condition it no longer requires the extra police force. According to the right hon. Gentleman, either the contention of the Government about the state of Ireland is untrue or else the country should not be asked to pay the extra amount. I do not withdraw anything I have said with regard to the improved state of Ireland. That improvement makes itself manifest in almost every part of the country, and is established by every test that can be applied to it. The right hon. Gentleman has fallen into two errors. The first is, his statement that because crime has diminished, there ought to be no extra police force; and the second is, that there has been no diminution in the extra police force.

MR. SEXTON: I referred not only to crime, but to the proclamation of meetings, and also to the boast of the right hon. Gentleman that the number of boycotted persons had been considerably reduced.

*MR. BALFOUR: I did not know that was the point to which the right hon. Gentleman attached weight, but it really makes no substantial difference in the argument I was addressing to the Committee. The point is whether, judging by the past, the improvement has been so great as to justify the Government in reducing the police force. In 1870 crime in Ireland was at a far lower level than it is now. Extra police were not required at that time, as boycotting, the favourite weapon of hon. Gentlemen below the Gangway, had not been invented. Yet in 1870 the total amount of police was in excess of the amount of police now required for the preservation of the public peace in Ireland.

An hon. MEMBER: What was the cost?

*MR. A. J. BALFOUR: Surely the hon. Member must see that that is not relevant to the argument brought forward by the right hon. Gentleman. His argument was that we did not require all the policemen now employed, since we said that Ireland was so much quieter than it had been. In answer to that, it is perfectly relevant to point out that at a time when agrarian crime was less, boycotting was not invented, and there was not a large political party actively engaged in promoting disturbance; but it is *not* relevant to point out that the cost of the force was greater. A larger number of police was required than actually exists at the present time. If hon. Gentlemen will compare the statistics of what was required when Ireland was much more disturbed in 1882, they will see that the amount of the extra police force used in the counties has been diminished by very nearly one-half, and I believe that a still further reduction will be made as the country improves. With regard to other points raised by hon. Members, I cannot go into them without again going over the ground which I traversed last night, and I have confined myself to the arguments which are strictly relevant to the Amendment. I think I have shown the House that there is no reason for refusing this Vote either on account of the action of the *Times* or on account of the alleged excessive police force in Ireland, and I hope, therefore, they will not assent to the Amendment.

MR. T. M. HEALY (Longford, N.): The best proof the right hon. Gentleman could give the Committee that there was no vindictive action on the part of the police and no animus on the part of the Government in stimulating them to excesses would be that every excess committed by the police in Ireland made against the Government, and that it was to their interest to promote harmony. No attempt has been made to show this. Why do you do all these hundred petty, mean, and contemptible acts, which show a spirit of vindictiveness on the part of the powers that be? What advantage

is it to take away four ounces of bread from my hon. Friend the Member for West Kerry (Mr. E. Harrington) when you took away his hard labour? Did that remove from the minds of the Irish people the idea that you are a mean and contemptible and malignant Government? You cut off men's whiskers and moustaches, you strip your prisoners, and stick them in police vans and foul places. With what face under these circumstances can the right hon. Gentleman get up and say, "We never can incite policemen to act illegally, because it makes against us rather than for us." I regret having to speak about the conduct of the Irish Constabulary during the last four years; but I must bear out what has been said about the police being encouraged to drink stimulating liquors and deprived of food for the purpose of making them savage. I always supported temperance legislation in this House. I shall never do it again as long as the Irish Police are controlled as at present. What are the facts? It used to be a crime for them to be drunk on duty; but now their officers pass it over, and huge barrels of porter are freely distributed amongst them, and in a state, half-hungry and half-drunk, I have seen them with the devil in their eyes attack the unfortunate people and level them with the ground. There is a still more remarkable fact. These men have for years been regarded as a religious body of men. They were respected by the people and on friendly terms with the Priests. Now they are being distinctly encouraged to detach themselves from their religious observances. Every policeman entering the Force has to take an oath that he does not belong to any secret society, except the Freemasons. It is notorious that the Freemasons' Society is condemned by the Catholic Church, as every other secret society is. I am not going to attack it, as it is known in England in the form of a benevolent institution; but I say that in Ireland Freemasonry and Orangeism are the same thing, and if you take up a list of Freemasons you will find that, as a rule, the heads of the Freemasons and the heads of the Orange Society are one and the same. There is no promotion to be had in the force except through the Freemason ring, and these men know it. They are encouraged on this account to join a body which is condemned by their religious superiors, and they do join it. And how are the men officered? The nomination system, which is partly resorted to, is a most pernicious system, and it is one which you have abolished in your own country. Every petty agent and landlord gets a nomination for a son, and the whole of the officers at the present moment belong to that class, except a few Englishmen, who are the most respectable members of the force. Sub-Inspector Tyatt, an Englishman, undoubtedly brought Dr. Cross to justice for poisoning his wife, and—I do not know whether it was because a Petition was sent to the Lord Lieutenant, to let Dr. Cross off because he had been boycotted—the Sub-Inspector was removed, at his own expense, to a more distant station. I say that the spirit that animates the officers goes into the men, and their only chance of promotion is to read the speeches of the right hon. Gentleman, and to act upon his precepts. Why do they do it? Because they believe, rightly or wrongly, that it pleases the right hon. Gentleman to have Members of Parliament with cut heads, and that by treating the people as they did at Mitchelstown and Charleville, they are best carrying out the wishes of the right hon. Gentleman and pursuing the road to promotion. In the mass the police are an ignorant body of men, and their officers are a most prejudiced class. These men cannot see the Irish policy as a whole, they cannot take, or be expected to take, the statesmanlike view of their superiors, such as the Chief Secretary has put forward, that it is impossible to carry out a policy of exacerbation. But they take a hint from the defence made for them by the right hon. Gentleman; they believe they are carrying out the desires of the

Government, and they act accordingly. Now just by way of illustration, not of any act of brutality on the part of the police, but of the absurdity of the system, I will tell the Committee what occurred when I went to visit the Member for North-East Cork in goal in March or April last. I arrived in Tralee with the solicitor for the defence armed with an order of admission from the Attorney General, but from the moment we arrived at our hotel we were watched by a galaxy of these heroes. Step by step, from the hotel to the gaol we were watched, and step by step we were watched back again. I afterwards wrote to Sir Andrew Reid on the subject—I believe he has been made a "Sir," and I think none the better of him for it—I explained the object of our visit to Tralee. I said we had the leave of the Government, and I inquired why we were dogged in this way. The next day after the trial, and after the usual performance of my expulsion from Court by Mr. Cecil Roche, waiting for the train I took a walk in company with the solicitor and my friend, Mr. Condon, now in gaol. I do not think if we had intended to hold a meeting we should have taken the course we did. We took a walk through the country. We doubled back again, but still we were followed by two policemen, to whom at last I spoke, and I asked why they paid us such attention, but they declined to give me an answer, or to give their names. I wrote to the Inspector under the impression that the men had inadvertently exceeded their duty, but no; I was told they were quite right in acting as they did, and refusing their names. From Sir Andrew Reid I could get no explanation why I was followed. Now this is most absurd. I do not mind being followed, except that I do not care to be thought such a fool that two policemen can find out anything that I desire to conceal. In that sense I do submit to Her Majesty's Government that unless these things are done for purposes of irritation and insult I cannot conceive what object they can have in the wide world. I see these men at the railway station; they have some arrangement with the booking clerk, and from the moment I take my ticket to my return, arrangements are made to keep a watch on me all along the line, as if I were the Lord Lieutenant, and I find a guard of honour at every railway station. Some members of our party are Railway Directors, and I invite them to ascertain by what right these men are admitted to the railway stations. I invite the railway shareholders, the vast majority of whom sympathize with us, to inquire by what right these policemen enter upon private premises and baton the people there. I trust this irritating system of espionage will be abolished. You find these fellows sticking their *pickelhaubes* and noses into every railway carriage to find out where you are going, as if we are living under a Russian system of administration. What can be the object except irritation? In Mr. Forster's day, my hon. Friend the Member for the College Green moved for a Return of the number of people arrested at railway stations in 10 years, and the Return was given in 1881, and we found that in that period there had been no arrests, except that on one occasion, at Ennis, some gentlemen of the Clare Militia were arrested for being drunk and disorderly. I should like to have a continuation of that Return. I do not know whether there has been any continuation of the pranks of the Clare Militia; but I think it would be shown that this practice of watching railway stations has no sort of object but exasperation. We have got used to it, but English and Scotch visitors to our country are struck by the appearance of these louts carrying guns, swords, batons, revolvers, and a spike on their helmets—visitors are struck by this exhibition, and in it may afford a useful object-lesson for their enlightenment. We have been told that under the present system of administration there has been an improvement in the state of Ireland, and as proof we are told that the number of boycotted persons has decreased. We have not been told that the number of evicted farms has decreased, that was left as information for Colonel Turner to give the Judges of Assize, a piece of impertinence that deserves censure. The system of boycotting Returns sprang up under the present Chief Secretary. We always have a Chief Secretary who is one of the finest statesmen of his time. All the other Departments of State would be

glad to have his services, but England out of her bounty confers him upon the Irish race. The right hon. Gentleman divorcing himself from Scotland, from the Home Office, Foreign Office, the Colonies, India, the Army, the Navy, is good enough to give the benefit of his intellect to Ireland, and during his tenure of office he has developed this system of Returns of boycotted persons. He says when the Coercion Act was introduced there were 4,000 boycotted persons, and now two years of the Act have reduced that number by half or a third. Now, I assume every person of common sense in any district knows who is boycotted there and who is not. A boycotted person must be well known. But these Returns furnished by the Constabulary give us no information whatever by which we can test their accuracy. In my opinion, the Returns are as illusory as other information furnished through the same channel. The right hon. Gentleman has devised a system—probably the most effective that could be devised—for singling out a boycotted person and preventing anybody from buying from or selling to him. There has come into being in Ireland recently a body called a Land Corporation, and also, I believe, a Derelict Trust, which certainly does not belie its name, for it is certainly derelict if not trustworthy. These two bodies endeavour to effect sales of cattle for landlords and the sale of the produce of boycotted persons. What have the Government done in Ireland, headed by a man of the undoubted intellect of the Chief Secretary? With regard to boycotted persons, I am surprised that a man of intellect like the Chief Secretary cannot see the absurdity of the system of police protection. When a boycotted person attends a fair he is accompanied by four or five constables in uniform, with rifles, in order to watch the bargains. Let me suggest, in addition, that when boycotted pigs are brought into a fair the right hon. Gentleman should give the owner the Union Jack to wave over them, and we should see how brisk the sales would be under the combined influence of bayonets and the flag. This system has sprung up under the right hon. Gentleman, who boasts that he has diminished boycotting in Ireland. At some fairs probably 50 constables are present to look after the boycotted land-grabbers and the landlords. Does this promote good feeling and encourage the sale of boycotted produce? If I wanted a pig at a fair I would steer clear of the bayonets, and I would suggest to the great intellect which now sheds its beams over Ireland that the best way to give a land-grabber a chance at a fair is to let him go there unnoticed and unknown. I make this humble suggestion in the interests of the landlords. Of course, the right hon. Gentleman says these men must be protected from danger, but if in an unfortunate state of affairs they need protection let them stay at home, for certainly they will make no sales at the fair under the circumstances I have mentioned. There is an instance in the case of Lord Courtown. Lord Courtown is, I believe, the head of the "Property Defence Association"—it is not much of a head, it is true, that he can give, but such as it is he gives it to that body. Lord Courtown had a lot of pigs the other day at Gorey Fair, and this great Government, which might employ its bayonets on the Nile, or in any other region where valour will meet its reward, gave the assistance of the police bayonets to Lord Courtown to sell his "bonnives." The hon. Member for Clonmel is now undergoing four months' imprisonment. I had the distinction of defending him before two Resident Magistrates, of whose legal knowledge the Lord Lieutenant is satisfied, and the only evidence against him was that he stood by while a sale was being attempted, and that he winked at the cattle dealer, and asked him for a match. Well, I am not likely to require a match, but if ever I go to a cattle fair I shall be careful to avoid the consequences of winking at anyone. I have given some of the causes of the increase in the numbers of the constabulary, they have duties in the interest of a class, and their duty to the people at large is neglected. Thefts, burglaries, ordinary murders, and manslaughters, and coroner's inquests they despise. I saw recently that, notwithstanding Mr. Carson's opinion, they refuse to give their assistance to the corporation of Limerick in serving processes; they are more inclined to study shorthand than to look

after crime. They turn their attention to capturing Members of Parliament. In the rural districts anywhere in Ireland, you can go about with a million of money in your pocket, robbery is unknown, the people never think of it, but in the larger towns there is crime of course, and it is a serious thing to shopkeepers and others that these "swells" give the go-by to regular police duties. The fact is the police have got the idea into their heads that they are a political force, and they are entirely too high and mighty to be troubled with the ordinary duties of thief-catching. The Government have inoculated them with the idea, but the Government might have saved the police from the degradation of working the battering ram. The Government have recently issued a circular of a very peculiar kind. This circular, which has seen the light of day as all Government circulars do—anybody can keep a secret but Her Majesty's subjects—directs constables to find out visitors and give them all the information they can about evictions, and to take care that no exaggerated stories are told. The constables are to become a sort of *Cook's Guides*, and personally to conduct visitors. But why is the Member for Fulham admitted within the cordon of police while the Member for North Monaghan is excluded? In like manner, the Member for South Tyrone was passed on from station to station, and a nice mess he made of it. Divisional Inspector Cameron told the Member for South Tyrone a story about a man being refused relief because he was a Protestant; but that has been proved to be a lie, and the hon. Member was challenged to show that there was a single word of truth in it. In this instance we have been able to trace the lie to its fountain-head, and the hon. Member is obliged to admit there was no foundation for the statement to which he gave currency. If you turn to the pages of *Hansard* for 1883 you will find some record of the proceedings of District Inspector Cameron, as he then was; how, in one instance, he batoned the people, and the Government of the day refused inquiry into the circumstances, and how he had to be removed from Gort because of the constant trouble and difficulty he caused by his continual annoyance to the views in reference to a right of way. He was then sent to Youghal, where he ordered a most illegal and improper charge against the people. You then sent him to Wexford, where, as I say, his conduct was most brutal and arbitrary. And what after that? Why, you sent him to Belfast as Town Inspector, to succeed another who batoned the Member for the Harbour Division of Dublin; and then, being a fit man for the position, you sent him to Donegal to superintend the Falcarragh evictions. His career throughout has been one of coercion, and because of that, and a breach of a rule—which on the part of an ordinary constable involves dismissal, and is applied without mercy—he received promotion after promotion. This shows the spirit in which these men carry on their duty. They believe they are carrying out the desire of the Government when they beat and ill-use the people, and, as I have shown, their brutality ensures their promotion. We have dual proof of this, for in the case of constables who act with consideration and humanity towards the people we find that they are degraded. There is the case of the sergeant who was reduced to the ranks in Donegal because of his mild action; then there is the still more notorious case of District Inspector Markham. I know nothing about this officer except the facts bearing on the Falcarragh case of Father M'Fadden. Father M'Fadden had spent six months in gaol, and a small, unimportant meeting was held when he came home, to which he addressed a short speech, a speech of a character which no sensible Executive would have taken any notice of. He simply said that the present Government would not be long in office, that the evicted tenants had plenty of friends, and that he believed they would be supported after eviction. For that speech a warrant was issued against him—that was the speech which led to the murder of District Inspector Martin, and which possibly may lead to the execution of a number of unhappy people now in prison. Let the Committee take note of the petty and trivial circumstances out of which this case arose. Father M'Fadden, as I say, addressed a little village meeting; there was no police

shorthand writer present; it was pitch dark, and a policeman who wrote long-hand was in the crowd. He took two or three scattered notes of the speech which Father M'Fadden made from the steps of his house, and these notes have been given in evidence in some of the cases. Every one who reads them will see how frivolous it was to initiate a prosecution for such words, especially in the case of a man like Father M'Fadden, who had just returned from six months' imprisonment, and the whole of whose acts in Donegal had been in favour of law and order. Had he not put down smuggling and illicit distillation in the district? Whenever a private still or shebeen was established there Father M'Fadden went straight to the barracks and gave information, and the police put an end to the potheen making. Almost every one of his parishioners are teetotallers, and shebeening is hardly known, notwithstanding that, ordinarily, in these mountain districts the practice largely prevails, and is connived at by the heads of the police and the Magistrates, who always have in their houses a good glass of potheen for the visitor. Well, this man who has done so much for his people, who has begged for them throughout the world, has a warrant issued against him for making this trumpery speech. He remains in his house for an entire week. Although the police are almost surrounding the residence, he is not arrested. No attempt whatever is made to arrest him. He might have been found—in the words of Scripture—almost daily in the temple preaching and teaching. Ultimately the police came with clubs and guns to arrest him on Sunday, immediately after Mass, and it was then that the murder of Inspector Martin occurred. In the ordinary course a man would have been arrested without display, taken before the Magistrates, and admitted to bail. But the authorities waited until a time when there had been some excitement in the village, District Inspector Markham—who has been reduced for cowardice, than which a more serious charge could not be made against a police constable—was ordered up with 40 men to arrest Father M'Fadden. But, seeing the excitement of the people, the Inspector thought it well to wait for a calmer moment, and marched his men back without effecting the arrest. For this conduct, because he did not act on Captain Plunket's splendid maxim, "Don't hesitate to shoot," and because he did not make lanes through the people with baton and bayonet and buckshot, he was severely reproved and found guilty of cowardice. I do not think that Inspector Markham need pay much regard to such an absurd charge, for he has been found guilty of being a humane person, nothing else. Humanity may be punished by degradation by the existing Government, but the time will come when it will be rewarded, and when men like Mr. Markham will be honoured instead of blamed. These men who are now victimised by the present Administration for their humanity, will be promoted by the Administration which will follow. The fact that police constables who have a leaning to the side of the people are reduced and degraded, whereas those constables who baton and insult the people are promoted shows that the Government want turmoil in Ireland. The policy of the right hon. Gentleman opposite has been to create disturbance in order to lead the English people to believe that the Irish people are unfit for self-government. The right hon. Gentleman asks would it not be to our interest to have quietude prevail in Ireland. Well, that may be or may not be, but undoubtedly acts have been done by the Executive with the object of enabling them to say to the English electors, "Can we trust people who act like that with the administration of their own affairs? Will they not oppress the loyal inhabitants and Protestants?" That I believe to be at the bottom of the policy of the Chief Secretary. The allegations made by the Home Rule Members are admittedly very serious. Why then, when we ask that inquiry may be instituted into the cases out of which those allegations arise, do we always meet with refusal? Vainly have we asked for an investigation into the conduct of the police at Mitchelstown, at Lisdoonvarna on the occasion when Head Constable Whelehan met his death, at Drumlish, at Charleville, and at other places. I denounce the state of the law under which, if an Orangeman shoots a policeman in Belfast, no cost accrues to the ratepayers,

while if a policeman is hurt in the South of Ireland, a levy is immediately made to compensate him for the damage he has suffered. Head Constable Gardner and Constable Hughes were shot by an Orangeman named Walker at Belfast, but not a penny in compensation was given to their relatives, whereas the constable who was hurt at Mitchelstown — where three of the people were killed—received a thousand pounds compensation. For denouncing this anomaly, I have been attacked by Her Majesty's Government and Members of the Party opposite. But I shall continue to denounce it. I say it shows how the law is administered. County Inspector Stevens got six or eight guineas for the damage done to his coat, which could not have been worth that sum; and another man got £500 because he said he felt a dizziness in his head. As to the hon. Member for North Monaghan (Mr. P. O'Brien), who is an object for pity rather than of jest —as the Chief Secretary would have thought if he could have seen him carrying the plasters and bandages on his head—no answer has been given to the statements made as to the attack upon him. Will the Government grant an inquiry; and if they will not, what must be the inference? Inquiries have been demanded into the affair at Mitchelstown, but they have been refused. Well, is not the great argument for Protestantism that the truth can never suffer by inquiry? They tell us Catholics, "Oh, you object to controversy and to having your Faith inquired into, because it will not stand the test of investigation." That is our reply to you now. Even your Liberal Unionist supporters have recommended an inquiry into the Mitchelstown affair, and yet it has not been granted. The Chief Secretary says the Government gain nothing by this system of government. If that is his *bonâ fide* opinion, I would ask him in a friendly way—because my anxiety is to see matters conducted *secundum artem*—why does he not give a different cue to his subordinates? Why does he always support the police before he even knows the facts of the case—why does he not convey the impression that he is anxious for fair play? I have never known him express regret for an act of violence or harshness on the part of the police. He has never said or done anything to pour oil on the troubled waters. His whole policy is one of exasperation; and his statements as to the cordial relations between the police and the people are base coins passed off upon his friends, who profess to accept them, although they know them to be spurious. In Ireland at the present time the police, thanks to the policy of the right hon. Gentleman, are regarded with a feeling of dislike which positively amounts to passion and loathing. On our side, instead of being anxious to keep up ill-feeling or turbulence or anything of that kind, our whole and sole anxiety is to calm down the people and prevent passion reaching undue limits. I strongly support the suggestion of my hon. Friend for the reduction of the Vote. I do not propose to touch upon a number of questions which have been raised, as time does not permit of it. I do not propose, at present, for instance, to deal with the Royal Irish Constabulary and the *Times'* case, but next year I hope to have the opportunity of doing so. Discussion was cut short at the close of last Session in the winter, because it was said the House would re-assemble so soon; but that plea cannot be expected to prevail now with respect to matters outside of the *Times'* case; and as to that, fulness of discussion will be insisted upon next year. We have been told that the witnesses have got nothing except the ordinary pay, but an accidental light has been thrown on the matter by an incident at Limerick. Three months ago a policeman went to a large house in the furnishing trade and proposed to buy £100 worth of furniture, stating that Mr. Soames had promised him that sum; but since the recent cross-examination on the payment of witnesses, the man has asked the furnishing house to take back the furniture because Mr. Soames has refused to pay him the £100. That refusal, however, does not touch the promise that has been made. These matters must wait; but as to the ordinary Estimates the Irish Members intend to insist upon the full discussion which was promised last year.

The Committee divided:—Ayes 132; Noes 170.—(Div. List, No. 284.)

Original Question again proposed.

It being after half-past Five of the clock, and Objection being taken to Further Proceeding, the Chairman rose to interrupt the Business:—

Whereupon Mr. William Henry Smith rose in his place, and claimed to move, "That the Question be now put."

Mr. SEXTON: On a point of order, Mr. Courtney, I wish to ask you whether, after the hour for Opposed Business has arrived, the right hon. Gentleman can move the Closure?

The CHAIRMAN: The question has been repeatedly decided that the time when Opposed Business shall cease is half-past 5 on Wednesdays, unless a Division is then in progress, and the time for the cessation of Opposed Business in that case is the close of the Division.

Question proposed, "That the Question be now put."

Mr. SEXTON: Mr. Courtney, I wish to ask you whether you will be good enough, for the information and satisfaction of the House, to cite any precedent for a case in which after the hour fixed by the Standing Order [*cries of* "Oh!" *from the Ministerial Benches and Parnellite cries of* "Order!"]—we will not divide at all if you do not take care—I wish to ask you, Sir, to state a precedent where, after the time for Opposed Business has elapsed, a Motion to apply the Closure was accepted.

The CHAIRMAN: I am not aware of any specific case, nor is it necessary that I should be. I am informed that there are such cases. The principle of the decision is clear. There have frequently been cases in which Divisions have been in progress at the close of the sitting at 12 or half-past 5, and after the Division was over that moment was treated as the moment of the interruption of business.

Mr. SEXTON: Was not one of those cases——[*Ministerial cries of* "Order!" *and loud Parnellite cries of* "Order!"]

Mr. SEXTON: Why do not you be quiet [*cries of* "Order!"] I have to warn you——

The CHAIRMAN: The right hon. Gentleman must address the Chairman.

Mr. SEXTON: I again appeal to you, Mr. Courtney, to cite, for the information of the Committee, any case in which the Closure was moved otherwise than before the hour for the close of Opposed Business arrived.

The CHAIRMAN: As I said, I was not aware of, and could not cite, a precedent, though I was told there were such precedents. I find now that on a Wednesday morning sitting, on the 14th November, 1888, in Committee of Supply on the Vote for the Metropolitan Police, a Division on the reduction of the item was in progress at half-past 5. After the declaration of the numbers the Chairman put the Original Question, and an hon. Member offering to speak, the Chairman proceeded to interrupt the business, when Mr. W. H. Smith moved the Closure, which was put and carried, and the Original Question was then put.

The Committee divided:—Ayes 164; Noes 122.—(Div. List, No. 285.)

Question accordingly put.

Mr. T. M. HEALY: I respectfully submit to you that the Question cannot be put.

The CHAIRMAN: Order, order!

The Committee divided:—Ayes 163; Noes 123.—(Div. List, No. 268.)

Whereupon the Chairman left the Chair to make his Report to the House.

Resolution to be reported To-morrow;

Committee to sit again To-morrow.

And, it being after Six of the clock, Mr. Speaker adjourned the House without Question put.

House adjourned at ten minutes after Six o'clock.

HANSARD'S PARLIAMENTARY DEBATES.

No. 6.] SEVENTH VOLUME OF SESSION 1889. [AUGUST 16.

HOUSE OF LORDS,

Thursday, 8th August, 1889.

OFFICE OF THE CLERK OF THE PARLIAMENTS AND OFFICE OF THE GENTLEMEN USHER OF THE BLACK ROD.

Second Report from the Select Committee made, and to be printed (No. 217); and to be considered on Tuesday next.

ADVANCE NOTES TO SEAMEN BILL. (No. 93.)

Order of the day for the Third Reading read.

LORD BALFOUR: I ask your Lordships' permission to withdraw this Bill. I move that the order for the Third Reading be discharged, and that the Bill be not further proceeded with, because the only two clauses of which it is composed have been incorporated with another Bill, which is now passing through your Lordships' House. That has been done for the purpose of avoiding that more than one Bill amending the same Act should pass through in the same Session.

Order for Third Reading discharged, and Bill (by leave of the House) withdrawn.

CHARITIES RECOVERY BILL. (No. 164.)

Order of the Day for the Second Reading read, and discharged; and Bill (by leave of the House) withdrawn.

POOR LAW BILL. (No. 195.)

House in Committee (according to order).

Clause 1. Amendment made; Clause agreed to.

Clause 2 agreed to.

Clause 3.

*EARL GRANVILLE: My Lords, I beg on Clause 3 to move an Amendment, of which I have given notice. It speaks for itself, and is not likely to excite opposition. The Clause is founded upon the recommendation of your Lordships' Committee last year. The Committee seems to have gone very much on the evidence of Dr. Bridges, the local inspector, who gave very strong evidence that it is greatly in the interest of asylums and of the poor people treated there, that medical instruction should be allowed as proposed. The President of the Royal College of Physicians has informed me that he has been in communication with Mr. Ritchie on the subject, and that he entirely agrees with this proviso. I have also made a verbal alteration with regard to the asylums managers.

Amendment moved, to insert the following clause:—

"The managers of the Metropolitan Asylums Board may, if they think fit, allow the asylums provided by them for fever, small-pox, and diphtheria, to be used for purposes of medical instruction, subject to any rules and regulations which the Local Government Board may, from time to time, make with regard to such use of the said asylums."—(*The Earl Granville.*)

LORD BALFOUR: I entirely accept this Amendment after the representations which have been made to the Local Government Board in its favour, not the least being the consideration that fever cases are now so promptly removed to the proper hospitals, and there would be a possibility of there not being sufficient

instruction afforded for medical purposes.

Clause agreed to.

The Report of Amendments to be received on Tuesday next; the Bill to be printed as amended (No. 218).

PAYMASTER GENERAL BILL. (No. 208.)
REVENUE BILL. (No. 209.)

Read 2ª (according to order), and committed to a Committee of the Whole House on Monday next.

PREVENTION OF CRUELTY TO AND PROTECTION OF CHILDREN BILL,
formerly
CRUELTY TO CHILDREN PREVENTION BILL. (No. 211.)

Amendments reported according to order.

THE EARL OF MILLTOWN: I should like to call your Lordships' attention to the change which has been made in the title of this Bill at the last moment. Originally its title was "The Prevention of Cruelty to Children Bill." Afterwards Lord Kimberley proposed it should be altered to "The Protection of Children Bill." The Standing Committee were of opinion that the alteration proposed was a proper one, but, at the last moment, it has been again altered. I now propose that the shorter title should be adopted, as this lengthening of the title seems absurd. Under this title it might be supposed to be a Bill for the prevention of cruelty to children and the prevention of protection to them, which I think is hardly the meaning of the noble Earl.

LORD HERSCHELL: No doubt an alteration was made in the title in Standing Committee in order to meet the objection that there were subjects covered by this Bill which do not come within the title of "Prevention of Cruelty," but deal rather with the protection of children. Objections were made to such matters being included in a Bill bearing that title. Representations were made which induced my hon. friend, Lord Aberdeen, to propose an Amendment to that title, to which I readily assented. It was represented that there were advantages in letting it be known that a Bill had been passed for the Prevention of Cruelty to Children, which might not follow if the Bill were entitled merely for the Protection of Children. There seems to me no objection to the whole of the title being giving to the Bill. I have only to add that notice of the Amendment was given on the Paper, and that it was not made in any way that would create surprise.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The MARQUESS OF SALISBURY): Is the House to understand that this is called the "short title" of the Bill?

LORD HERSCHELL: Yes. There are degrees of shortness.

THE EARL OF MILLTOWN: I beg to propose an Amendment to Clause 3. By sub-sections (*b*) and (*c*) it is provided that any person who

"(*b*) causes or procures any child, being a boy under the age of fourteen years, or being a girl under the age of sixteen years, to be in any street, or in any premises licensed for the sale of any intoxicating liquor, other than premises licensed according to law for public entertainments, for the purpose of singing, playing, or performing for profit, or offering anything for sale, between ten p.m. and five a.m. from the first day of April to the thirtieth day of September inclusive, or between eight p.m. and five a.m. from the first day of October to the thirty-first day of March inclusive; or

(*c*) causes or procures any child under the age of ten years to be at any time in any street, or in any premises licensed for the sale of any intoxicating liquor, or in premises licensed according to law for public entertainments, for the purpose of singing, playing or performing for profit, or offering any thing for sale, shall on conviction thereof by a Court of summary jurisdiction in manner provided by the Summary Jurisdiction Acts, be liable, at the discretion of the Court, to a fine not exceeding twenty-five pounds alternatively, or in default of payment of the said fine, or in addition thereto, to imprisonment, with or without hard labour, for any term not exceeding three months."

I should like to call the attention of the House to the fact that the evening newspapers are sold in the streets within those prohibited hours. It really does seem a monstrous hardship in these very hard times to prevent, by the operation of such a Clause as this, poor people deriving the little, but, to them, most valuable addition to their means which is earned by the boys who sell newspapers in the streets. I cannot see why there should be any difference made between winter and summer with regard to the out-door sale of newspapers by boys. The gas-lamps are alight in the streets just the same at all seasons, and

it is immaterial to these poor boys, whether it happens to be winter or summer, if they can earn a little in that way. It is hardly to be supposed that they will consult the almanack to see whether they may carry on their trade within the particular hours when papers or anything else may be sold by them in the streets, and really this seems to be a most extraordinary tyrannical piece of legislation. I would ask your Lordships whether boys should not be allowed to sell newspapers in the streets after ten o'clock in the evening? To fix the prohibited time at ten p.m. in the summer and eight p.m. in the winter seems to me to be not only cruel, but ridiculous. It is true that power is given to local authorities to vary those hours, but it seems to me that this is a matter which it would be very much better not to leave to local authorities. They might possibly choose not to vary those hours, and it would be much better for Parliament to fix the hours within which it is to become unlawful for poor boys to carry on their lawful occupations. I move, therefore, to omit the words after "eight p.m."

Moved, to omit all words after "eight p.m." in line 14, down to the word "or" in line 17.—(*The Earl of Milltown.*)

LORD HERSCHELL: The provision to which the noble Earl refers does not relate to newspaper boys only. He has given a particular case, in which he says it would be unreasonable to restrict the hours and prohibition to the extent laid down in the Bill. It must be remembered that this Clause would give, even in the winter, fifteen hours during which children may be employed, and I think that will be considered by your Lordships a sufficiently long period for the employment of any child, only nine hours' rest remaining. I think, my Lords, to say that children shall not be employed for more than fifteen hours out of twenty-four, is not any extraordinary interference with either liberty or rights, and that it is saying no more than will, I am sure, be thought desirable. To meet particular cases such as that referred to, the proviso giving power to the local authorities to vary the hours, has been inserted; but I do not know that it would be advisable to enable them to extend the hours in the case of a particular employment. It seems to me that meets the whole objection.

THE EARL OF MILLTOWN: I mentioned the case of the newspaper boys, as that is the most glaring; but as your Lordships are aware, boys earn their living in the streets in other ways. For instance, there are the boys who sell matches. As I have said, the amounts which they earn are not great, but still to these poor boys themselves they are of considerable importance. The noble Earl speaks of there being fifteen hours' work, as though it were continuous for that period, but surely he would not say that remark applies to boys who sell evening papers. The point is that this clause prevents their being employed within the prohibited time, and therefore I ask your Lordships to accept the amendment for the omission of those words.

On question "That the words proposed to be left out stand part of the Bill," their Lordships divided:—Contents, 13; Not Contents, 23.

LORD HERSCHELL: Clause 3, subsection (c), about which there has been so much discussion, as it at present stands, prohibits the employment of children under 10 in premises licensed for public entertainments. That will not cover travelling circuses and like places of entertainment throughout the country where children may be employed for acrobatic purposes, and in ways in which their employment would be even more undesirable than in licensed theatres. It seems to me if it be considered inexpedient to permit such employment in theatres it would be unfair to the theatres to permit it in circuses and travelling shows. I would therefore suggest that after the words "licensed according to law for public entertainments," there should be inserted "or any circus or place to which the public shall be admitted by payment," so that those places may be put on the same footing in this respect as theatres, which are required to be licensed.

Moved to insert in clause 3, line 21, "or any circus or place to which the public shall be admitted by payment."—(*Lord Herschell.*)

Agreed to.

LORD HERSCHELL: With reference to the next amendments I will state the course which I propose, with your Lordships' permission, to take. I will either move them now or leave them to the Third Reading. I have been unable to give notice of them, because it was not until yesterday that I obtained a copy of the Bill as it had passed through Committee, and of course it was impossible for me to propose amendments until I received it. If there is no objection to my moving them now, I will state that the first amendment which I have to propose is in line 38, to insert the words "stipendiary magistrates or."

Amendment agreed to.

*LORD WATSON: I wish to move that the words "Sheriff or Sheriff-substitute" should be deleted, and the words "School Board" inserted, in deference to a very generally expressed desire in Scotland. The employment of young children is by no means such a burning question in the North as it is in England. For the last 11 years, that is to say, since the passing of the Education (Scotland) Act of 1878, the power of permitting children under age to be employed on special occasions has been entrusted to School Boards. I have not heard any complaints of the manner in which they have performed that duty, and in Glasgow, where that Clause has been in operation, very wise and carefully-framed regulations have been issued by the School Board as to the conditions under which children shall be permitted to assist in dramatic performances. I think it would be a great pity to take that power from a tribunal which has given entire satisfaction for so many years, and to vest it in the Sheriffs and Sheriff-substitutes. I doubt whether it is at all consistent with the duties which those gentlemen perform that they should be compelled to enquire into the circumstances under which children should be thus employed. Even if they were enabled to make inquiries, I doubt whether they could perform that duty more efficiently than the School Board.

LORD HERSCHELL: I have no objection whatever to the Amendment. Indeed, I should like the same thing to be done in England, but I fear there would be no chance of its being adopted here. I have certainly no objection to it as regards Scotland.

Amendment agreed to.

LORD HERSCHELL: I will now move my next Amendment. I desire to say, before doing so, in order to avoid misapprehension, that I do not like the proviso, though I am seeking to amend it any more than when it was first proposed. My objections to it remain, but I do not attempt to compass the impossible, and, therefore, I do not propose, against your Lordships' opinion, to omit it. As the Amendment is drawn, it enables the Court to order that a child not exceeding seven may be permitted to take part in such entertainments. It strikes me that, instead of so enacting, the better form would be to enable the Court to grant a license; that the Court might be empowered to grant a license during such hours, and subject to such restrictions and conditions as it might think fit. I have been led to that opinion having observed what has been done by the Glasgow School Board. That Body grants exemptions to the children, authorising them to take part in these entertainments, stating for what time they shall be employed, and making regulations for the purpose of ensuring that they shall be properly taken care of. It seems to me that, whatever tribunal has the power of granting exemptions, should also have the power of imposing reasonable restrictions and conditions. If permitted at all, it should only be permitted under those circumstances. I will not press the Amendment now if it be thought better I should leave it to the Third Reading. The Amendment is to leave out the words "in order that," and to insert "grant a license for such time during such hours of the day, and subject to such restrictions and conditions as it may think fit, for a child to take part."

LORD MILLTOWN: I think it is very inconvenient that Amendments should be discussed otherwise than in order as they appear in the Paper.

THE SECRETARY OF STATE FOR INDIA (Viscount CROSS): We had so much discussion upon this proviso in Committee that I think it would be very inconvenient now to discuss Amend-

ments except as they occur in the Paper.

LORD HERSCHELL: I will not press the Amendment. I have an Amendment at the end of this section. I made a promise that I would provide that the part of sub-section (*c*) which relates to children performing in premises licensed for public entertainments, should not come into operation until the 1st November next. I will put down for the Third Reading an Amendment to that effect.

Clause 3 agreed to.

Remaining Clauses agreed to, with Amendments. Bill to be read 3ª To-morrow, and to be printed as amended (No. 219).

SETTLED LAND ACTS AMENDMENT BILL. (No. 203.)

Read 3ª (according to order), and passed.

JUDICIAL FACTORS (SCOTLAND) BILL. (No. 202.)

House in Committee (on Re-commitment, according to order): Bill reported without Amendment; and to be read 3ª To-morrow.

INTERMEDIATE EDUCATION (WALES) BILL. (No. 201.)

House in Committee (according to order); Bill reported without Amendment; and to be read 3ª To-morrow.

LUNACY ACTS AMENDMENT BILL. (No. 199.)

Commons Amendments considered (according to order).

THE LORD CHANCELLOR: Most of the Commons Amendments to this Bill are of a formal character, and I do not think it is necessary that I should go through them. A few errors have crept in by inadvertence. One is that the penalty imposed shall not extend to prevent the employment of male persons on urgent occasions as may, in the judgment of the superintendent or proprietor of the asylum or registered house, be desirable. It is obvious that the intention was to provide for cases where there might be a necessity for employing male attendants on urgent occasions, but the draftsman has hardly expressed that idea.

Some Amendments agreed to; Some agreed to, with Amendments, and a consequential Amendment made to the Bill; Some disagreed to; and a Committee appointed to prepare reasons to be offered to the Commons for the Lords disagreeing to some of their Amendments; The Committee to meet forthwith.

COURT OF SESSION AND BILL CHAMBER (SCOTLAND) CLERKS BILL. (No. 152.)

Read 3ª (according to order), with the Amendments, and passed, and sent to the Commons.

LOCAL GOVERNMENT (SCOTLAND) BILL. (No. 179.)

Amendments reported (according to order.

THE MARQUESS OF LOTHIAN: With reference to Clause 82, upon which there was some discussion, I have to say that I have no proposal to offer. I do not know whether the House will accept the Clause as it stands.

THE DUKE OF ARGYLL: I regret that Her Majesty's Government have not thought it desirable to modify the form of this Clause. The words are very large and very arbitrary. It would appear that, in many of the Scotch counties, it would make the Valuator the servant of the Treasury and not of the county. That, I think, would be a serious inconvenience. Though I have every confidence in the Treasury as at present represented, I think, in such a matter as this, we must look to the future, especially in a Bill to give Local Government and local powers. It seems to me inconsistent with the principle of this Bill that you should make one of the principal officers of the Council the servant of the Treasury.

THE MARQUESS OF SALISBURY: When this matter was brought forward the other night, the noble duke stated that in the House of Commons the Clause had slipped in without much consideration. The matter is one concerning Scotland and concerning the Treasury, and on both those grounds I feel that I am not very competent to deal with it. These Clauses were dealt with and adjusted after full consideration by the Chancellor of the Exchequer, the Lord Advocate, and the

permanent officials concerned. So that, at all events, this Clause has been adjusted with full knowledge of all the circumstances; and it seems to me if there is anything too rigid or severe in the Clause, the County Councils can protect themselves by not employing officers of this kind.

*THE EARL OF CAMPERDOWN: My Lords, before we leave this Bill, I would mention one matter which the noble Marquess proposed to take into consideration the other night, but with regard to which he has said nothing, and nothing has been done. I moved an Amendment on behalf of Lord Aberdeen with reference to the stereotyped rate on the owners. I put to the noble Marquess several points; he admitted there was some force in them, and he undertook to consider this matter before the Report.

THE MARQUESS OF LOTHIAN: It is quite true I did undertake to consider this question again before the report, but I said at the same time that I could not undertake to consider it favourably. I am afraid I cannot go back from what I said then, and I consider it undesirable to accept the amendment. This measure is based by the Government upon an intelligible principle: that is to say, that works which had been paid for out of annual rates are not to be left out of consideration in fixing the basis of the rate on the average of the last ten years. The noble Lord will himself see that it would be very difficult otherwise for the Sheriffs to see on what basis they are to proceed in dealing with capital account for the purpose of fixing the stereotyped rate. Of course the capital account may include very large and very small works, and it would be very difficult for the Sheriff to decide what ought to be placed in the annual rate for the county, and what in his judgment ought to be spread over a term of years and paid for with borrowed money. I think the Sheriffs would be in a difficult position, and it would be almost impossible for them to ascertain the basis they should take in fixing the stereotyped amount. The proposal of the Government in this Bill is that only works paid for with borrowed money shall be exempted from calculation for the stereotyped rate. That proposal is based upon a broad and intelligible principle, and I think that any other would create difficulty in the amount being fixed by the Sheriff.

*THE EARL OF CAMPERDOWN: The argument now used by the noble Marquess is precisely the same as he used the other night, and which, after a great deal of discussion, he was obliged to admit was not a very strong one. I am afraid the course he has adopted will oblige me to take the equally objectionable course of repeating one or two of the observations I made the other night. I beg leave to say in answer to the noble Marquess when he says that the good in this measure lays down a broad and intelligible principle, that it does neither the one nor the other. No such principle in rating was ever heard of before, and if it could have been conceived possible that any such principle would have been adopted, no county would ever have thought of paying for public works by rate instead of by the ordinary course of borrowing. This proposal of the noble Marquess, if he insists upon it, will undoubtedly, as Lord Aberdeen considered in bringing forward his amendment, inflict considerable hardship in more than one county in Scotland. As I understand, the noble Marquess challenges me to explain the possibility of the Sheriff being able to calculate how much of a certain sum which has been expended as capital ought to be apportioned to each year. Is not this a very simple way? Suppose the question is with regard to some county building which has involved an outlay of £4,000 or £5,000 paid by rate levied instead of by borrowing in the ordinary way. The noble Marquess knows just as well as I do the ordinary terms of borrowing for such purposes; it might be fixed at 20 years or 30 years, or at any other term which might on consideration seem advisable to the Sheriff. What could be more easy than adding the amount so arrived at to the stereotyped rate? I cannot understand how there could be any difficulty whatever. As the matter stands there will be great hardship inflicted on more than one county. The noble Marquess was the other night obliged to admit that his argument was a weak one, and he said he would reconsider the matter. Of course one cannot in any way bind the Government to say they will introduce

an amendment; but still when one hears of reconsideration one hopes for something in that direction. To admit on one night that one's argument is barren and to say that the matter will be reconsidered, and then to simply repeat that argument to the House on another night, is not a course which is very gratifying to those proposing an amendment.

THE MARQUESS OF LOTHIAN: I must deny altogether that I said my argument was either a bad or a weak one. When I said I would consider the matter again, it was only after pressure had been put upon me. In deference to the wish expressed by noble Lords on either side of the House I said I would do so, but I expressly said that I could not promise to consider it favourably. The noble Lord has not grappled with one of the main difficulties. He has taken a particular instance of county buildings, and he said, as I understood, that the expenditure upon that one place might be easily dealt with by the Sheriffs spreading it over the ten years. I admit there would not be much difficulty if one had only to deal with one class of expenditure; but, as I stated just now, there are many other kinds of expenditure which would come under this head. No doubt many counties would like to put a large amount of their expenditure under it. Questions with reference to reformatories, police stations, and others of that kind had been raised, and if once the proposition of the noble Lord is admitted, similar questions will be raised by others. The question at once arises, How low down in the scale of expenditure is the Sheriff to go in fixing the capital expenditure of the county. I have already said that the whole proposal of the Bill is based upon a broad and intelligible principle, and upon that ground I must decline to accept the noble Lord's suggestion.

THE DUKE OF ARGYLL: I think it would not be impossible to meet the difficulty in some cases of expenditure out of capital; but I am bound to say that I attach very little importance to this point, and I do so because in my opinion the whole of these rates fall really on owners and not on occupants. It has been the custom in Scotland to make most of the rates payable half by the owner and half by the occupant; but, under the present system of letting, the whole must ultimately fall on the owners. The rates levied during existing contracts will fall upon the occupants. I approve of the system of half-rates upon owners and occupiers, and if it prevailed in England I think it would convince a good many persons who entertain rather curious views upon these matters, for ultimately the whole of these rates come out of the rent.

Formal Amendments made: Bill to be read 3ª to-morrow; and to be printed as amended. (No. 220.)

STATUTE LAW REVISION BILL.
(No. 186.)

Read 3ª (according to order): Amendments made; Bill passed, and sent to the Commons.

UNIVERSITIES (SCOTLAND) BILL.
(No. 204.)

Order of the Day for the House to be put into Committee, read:

THE MARQUESS OF LOTHIAN: My Lords, in moving that the House resolve itself into Committee upon this Bill, I should like to say a few words upon it, as by your Lordships' permission the other night I made no remark on the Bill. I shall say very little, because the Universities (Scotland) Bill, which I introduced last year into this House was, after most careful consideration by your Lordships, and alteration in many particulars, read a third time, but, owing to the lateness of the period of the Session at which the Bill left the House, it was impossible for the House of Commons to consider it then. Under the circumstances I think I am justified in considering that your Lordships are perfectly aware of the object, and principles of this Bill. I think the most practical way of asking your Lordships to consider the Bill which was read a second time the other night, is to look at it as if had been considered during one Session of Parliament, and that the Amendments which have been made to it in the House of Commons during this Session are Amendments on the Bill as it was passed by your Lordships' House last year. The Bill introduced into the House of Commons was almost identical in every important particular with that which passed your Lordships'

House last year. There was one slight alteration made with reference to the constitution of the University of St. Andrew's, another as to the constitution of the Commission, and another with reference to the Botanical Gardens and Observatory in Edinburgh. They were taken out of the financial portions of the Bill. I cannot refrain from expressing now, on the part of the Government—as I see the noble Earl, to whom we are indebted in the matter, on the cross-benches—the gratitude which is due to him for the generous gift which he has made of the whole of his magnificent observatory apparatus and library for the public use. With these few observations, I beg to move, "That the House do now resolve itself into Committee."

*THE EARL OF CAMPERDOWN: My Lords, it is quite unnecessary to occupy your time with many remarks for the reasons just given by the noble Marquess who has moved this Bill. It corresponds very closely with the Bill which was introduced last year, on which so much attention was bestowed, but there are two or three points to which it is necessary to call attention. Your Lordships will bear in mind, while this Bill is passing through Committee, that it deals very thoroughly indeed with the University question, and introduces great changes. It deals with the whole question of the management of Universities, their property and revenues, as well as their discipline, touching, therefore, that which has been for all time in the hands of the Senatus Academicus. It takes the general control from the Senatus Academicus, and also places the power of making orders after the expiration of the Commission in the University Courts, on which the graduates of the Universities will be largely represented. It is important we should bear those facts in mind, with reference to various points to which your Lordships' attention will be called in Committee. With regard to the constitution of the Courts, there is one important change, and, as I think, a very considerable improvement. Last year it was proposed that nominees of the Crown should be be appointed on the University Courts. As your Lordships know, considerable difference of opinion prevails on University questions between the two opposing parties, one of whom I may describe as the party of the Senatus Academicus, or the professorial body, and the other whom I can only describe by a name well understood in Scotland, although, perhaps, not a very classical name, that is, the extra-mural teachers. When the Crown took the power of appointing Assessors on the University Courts, it might have been very easily attempted to remedy any manifest disproportion which might exist between the relative powers of those two parties. I hold that the Crown ought not to be entrusted with a power of that sort, and last year exception was taken to those appointments in this House. I am glad to say that this year those appointments do not re-appear in the Bill. There is only one other point to which I will call your Lordships' attention now, and that is with reference to the composition of the Commission. Those who have taken an interest in the development of this Bill know perfectly well that last year the noble Marquess did everything in his power to obtain the very best and most representative Commission he could. He spoke to many members of this House about the matter, and, although he was not successful in persuading many who entertain very different opinions on this matter to take seats upon the Commission, it was not his fault that he did not obtain the most representative Commission. He did all he could. The only desire of the Scotch Office was to secure a thoroughly good Commission in order to obtain a body which would carry out the measure in a manner most acceptable to the people of Scotland. I regret that the names of some who would have been of great assistance are absent, but I think those who have been placed on the Commission add considerable strength to it. One thing may be said: both the University parties are this year represented upon the Commission. When you have two parties existing, and questions to be decided by a Commission as to which great difference of opinion prevails between them, there is only one alternative in dealing with the two parties which represent the opposite shades of opinion: they must be altogether omitted from the Commission, or a fair and adequate representation of each side must be given upon it. This year the latter

course has been taken, and upon the whole I think it is a wise course, because it is now quite certain that the divergent opinions will be expressed at the Commission in the most complete and satisfactory manner; so that the general body of the Commissioners will be able to apply themselves to the consideration of the various questions, and it is absolutely certain that every question of interest arising will be discussed in the most intelligent and intelligible form. I think, therefore, in that way the Commission is improved. Perhaps, as my noble friend Lord Elgin is not present, I may say that I am glad he is to sit upon the Commission. With your Lordships' permission, I will reserve any further remarks I may have to make upon matters of detail until they arise in Committee.

Motion agreed to; House in Committee accordingly.

Clauses 1, 2, 3, and 4 agreed to.

*THE EARL OF CAMPERDOWN: In clause 5, at line 35, I propose to insert the word "Lord" before the words "Provost of Dundee." I merely wish to say a few words in support of my proposal. In the first place I am perfectly well aware that this is a proposition upon which it would not be possible for me to take the sense of the House, and therefore if the Government do not see their way to entertain it favourably, I do not feel disposed to press it. At the same time I think it is only right I should bring this question before the House. My Lords, in years long gone by, the Provost of Dundee was always styled "Lord-Provost." As your Lordships know Dundee played an important part throughout early Scottish history. In the days of Queen Mary the Lord Provost was appointed one of the Commissioners to arrange the marriage of the Queen in France. He was one of the Committee of the Lords upon the Articles sanctioning the Queen's demission of the Crown. He was also appointed Lord High Commissioner. During the fifteenth and sixteenth centuries petitions and applications to the Corporation were addressed "To the Lord Provost"; and that title was continued and was unanimously recognized by the Convention in 1692. A little later the Provostship was placed in Commission, and, when a new Provost was appointed, the ancient title was not renewed. But Her Majesty has lately been pleased to grant a Charter to Dundee, making it a royal city; and, therefore, I would suggest to the First Minister of the Crown, for his consideration whether it may not be possible for him to submit to Her Majesty the title, "Lord Provost of Dundee" with a view to the restoration of the title as used in former days.

Amendment moved, Clause 5, line 35, before the words "Provost of Dundee," to insert the word "Lord."—(*The Earl of Camperdown.*)

THE MARQUESS OF LOTHIAN: My Lords, I should be very sorry, while saying that I cannot assent to the proposal of the noble Earl, if it should be thought I do not recognize the antiquity of the office of Provost of Dundee, but it seems to me this is not the occasion or the place to confer such a title. It seems to me that the object of the noble Earl is, by a sort of side wind, to obtain for the Provost of Dundee a Parliamentary recognition of his claim to the title of Lord Provost. The are other towns in Scotland which at one time had no less right to the title Lord Provost for their chief authorities, but they no longer possess that right. Whether or not the Provost of Dundee ought to have the title of Lord Provost is not, I think, a question which ought to come before the House in this way. If that title is to be given him by Act of Parliament, it ought to be by some Act dealing directly with the privileges and position of the City of Dundee. I presume the question has arisen now in consequence of Dundee having lately been raised to the rank and position of a city; but that circumstance does not, *ipso facto*, give a right to the title and dignity of Lord Provost. I think there has been a little misapprehension on that point, and, therefore, I take this opportunity of making this statement. I do not at this moment say whether the Provost of Dundee has a right to the title Lord Provost or not; I only say this is not the way to raise the question upon a Bill dealing with an entirely different matter.

A NOBLE LORD: As the Provost of of Dundee has been mentioned, I should

like to ask the noble Marquess whether or not it is intended to give him a seat upon the University Court of St. Andrews, irrespective of the union of the University College of Dundee with the University of St. Andrews? Ought his seat to be made conditional upon the affiliation of the University College of Dundee to St. Andrews, or is he to have a seat on the University Court irrespective of such union?

THE MARQUESS OF LOTHIAN: The noble Lord has called attention to a point of some difficulty, because, under the constitution of the University Court of St. Andrew's, it was provided that the Provost of Dundee should have a seat upon that Court, but he would not have a seat unless the University College of Dundee was affiliated to the University of St. Andrew's. However, that can be provided for on the Third Reading, upon the Report.

LORD NAPIER AND ETTRICK: There is another matter. My attention was called to the constitution of the University of St. Andrew's by a noble Lord, not present to-night, who takes a lively interest in academical questions—Lord Powis. He pointed out to me that there was a discrepancy between the constitution of the University Court of St. Andrew's and those of all the other Universities. In the case of all the other Universities the Provost has a seat on the University Court, and that is so with regard to the University of St. Andrew's; but, in addition to that, in the other three Universities, the Provost, the Town Council, and the Magistrates have the right of appointing an Assessor. The object of making such a provision is to give the Municipal body a more sustained interest in academical affairs. Now, in the case of the University of St. Andrew's, the Provost and Town Council have not the right of appointing an Assessor. Perhaps, if both the Provost of St. Andrew's and the Provost of Dundee were on the Council, the Municipal element might be considered strong enough. Of course, the Provost's functions are of a transitory character. In some cases they may be elected, but in no case would they have the privilege of sitting for four years on the Council. I ask, then, why is there no power given for the appointment of an Assessor in the case of that University?

A Noble Lord

THE MARQUESS OF LOTHIAN: The answer is simple enough: it is because, in the case of the University of St. Andrew's, if this proposal is carried out, there will be two municipal representatives then of the town of St. Andrew's and the City of Dundee. In the case of the other Universities, there will be only two representatives of the municipality. If the noble Lord's proposition were to be accepted, in the case of St. Andrew's there would be no less than four representatives of the municipal body.

LORD NAPIER AND ETTRICK: They might be nominated alternatively.

THE MARQUESS OF LOTHIAN: That would import confusion into the Bill.

LORD NAPIER AND ETTRICK: Perhaps the noble Marquess will also consider that there is no certainty that the Provost of Dundee will ever sit upon the Council. However, I do not desire to press the point further.

THE EARL OF MORLEY: The question raised by the noble Lord who spoke previously was, whether the word "Lord" should be inserted before "Provost."

*THE EARL OF CAMPERDOWN: I withdrew the Amendment. I would only point out to the noble Marquess, with regard to what he has stated as to the Provost for the time being, that is dealt with by sub-section (*g*). I thought it was the intention of the Government to make the Provost of Dundee a member of the body of St. Andrew's University. That is very clearly expressed in the Affiliation Clause. In cases where the contrary was proposed, words were inserted in the Bill, saying that this should only be done when the College was affiliated to, and made to form part of, the University. If the noble Marquess does not intend the Provost of Dundee to be on the University Court, unless the Dundee College is affiliated to St. Andrew's University, he has simply to remove the name from where it stands now and place it in sub-section (*c*), either before or after the Principal of St. Mary's College. That would dispose of the difficulty.

THE MARQUESS OF LOTHIAN: I will take into consideration the point which has been suggested by the noble Lord.

LORD NAPIER AND ETTRICK: I hope I am not out of order in asking another

question upon this clause. This clause contemplates the creation of a number of Assessors who are to be nominated by many diverse authorities. I confess I do not distinguish from the language used whether it is absolutely obligatory on all those authorities to nominate the Assessors, or whether they have any discretionary power. If it is absolutely necessary that all those Assessors should be nominated, it seems to me some inconvenience might arise. It might occur that this duty of nominating Assessors will not, on some occasion or other, either by neglect, accident, or ill-will, be performed. If all the obligations in that respect were not performed at the right time, would the Court be then not legally constituted, and would its acts be invalidated or not? It seems to me it might be better to make the nomination of all those Assessors rather discretionary than obligatory. In general, they will undoubtedly be nominated, but on some occasion or other there might be a failure in the nomination at the right time. I merely want to know whether the nomination of all these Assessors is discretionary or obligatory, and whether their presence is absolutely necessary to constitute a University Court.

THE MARQUESS OF LOTHIAN: The noble Lord has asked two questions; one, Whether it is absolutely necessary that all the Assessors should be elected, or if a smaller number would be sufficient? and the other, Whether the University Court would be a properly constituted body even if the full number of Assessors were not elected to it? In answer to the first question, I will inform the noble Earl that it is not obligatory to elect the full number of Assessors, though I have no doubt that in all cases the full number would be elected. In answer to the second question, there is no doubt the University Court would be a properly constituted body, although there were vacancies upon it.

*THE EARL OF CAMPERDOWN: I am now going to ask your Lordships to strike out the last sentence of the last sub-section of Clause 5, on page 4. It runs as follows:—"No member of the Senatus Academicus of any University shall be entitled to vote or take part in the election of any Assessor of the General Council of the University." The effect of this clause is to disfranchise the whole body of Professors of all the Universities in regard to voting for an Assessor representing the General Council of the University. I want to know what is the reason for such a proposal being inserted in the Bill. No such proposal was inserted in the Bill last year, or as it was introduced this year, and I think I shall be able to give your Lordships very good reasons why you should vote with me against this sub-section. In the first place I suppose the argument which will be used against me is this: That the members of the Senatus are already represented by three Assessors whom they themselves will vote for; and therefore, if they are graduates of the University, they ought not to vote for any further Assessors; and if they are not members of the Council they are all the more disqualified and unfit to vote for such assessors. Now, in the first place, I wish to point out that the number of those whom you propose to disfranchise is absolutely infinitesimal in comparison with the whole number of Graduates in the Universities. In St. Andrew's University the Members of the Senatus are 15 in number, and there are 1,508 members of the General Council; in the University of Glasgow the Senatus has 29 members, while there are 4,562 members of the Council; at Aberdeen there are 24 members of the Senatus, and 3,109 of the General Council; and at Edinburgh there are 41 members of the Senatus as compared with 6,100 members of the Council. In other words, there are members of the Senatus who, without this clause, would vote for these Assessors to the number of 109, as compared with 15,279 members of the General Councils; and this amendment, therefore, has been introduced solely for the purpose of disfranchising those 109 persons. It would not, of course, be fair if I were to state the case only in that way, because I ought to remind your Lordships that those 109 members of the Senatus would have an influence with regard to those elections considerably out of proportion to their mere numbers, because the whole 109 being connected with the teaching in the Universities, are necessarily present during the greater part of the year; and as there might be some difficulty in collecting a large

number of the members of Council the votes of the 109 would be more important than their comparative numbers would seem to indicate. But, my Lords, I would ask what reason is there for a proposal of this sort? What had the Professors done? You are to single them out, and disfranchise them alone. You are not to treat the Provosts of the various University towns in the same way. The Provosts have seats upon the University Courts, and if they are members of the Council they will also vote for the Assessors who are sent to represent the Council. Besides that, in three cases out of four the provost will appoint an Assessor of his own, and he is therefore represented much more fully than these Professors. But you do not treat him or anybody else in the same way that you are treating these Professors. If colleges are affiliated to the University, and if the members of the Colleges are all members of the University, they will have a vote in this respect. So that it simply comes to this, that the Senatus is selected, and the Senatus alone to be disfranchised. I hope the House will consider the very great alteration which is made by this Bill in the relative powers of the Senatus and the University Court. I will again remind your Lordships that we have taken away from the Senatus the whole power of administration over the resources; we have given the Courts a general control over the proceedings of the Senatus, and therefore we have increased the power of the Court to a very large extent. But the Bill proposes as it now stands that we shall not be content with that; we are to go further and disfranchise the Senatus altogether. The insertion of this Clause seems to me to be a very great mistake. It was not in the Bill when first drafted. My Lords, it seems to me a very mean and petty proceeding, and I trust your Lordships will strike out this Clause.

*LORD WATSON: My Lords, I must express my sympathy with the motion now made to the House, whether it be successful or no. I can quite understand the principle of disfranchising Professors who sit in the University Courts, but why should you disfranchise Professors who do not sit in the University Courts? Even then, I should not object to legislation in this direction if it were general, and not personal and invidious. This Bill contemplates that there shall be brought into the University affiliated Colleges which are to be represented in the University Court. Every teacher in those Colleges is left at liberty to vote for an Assessor in the General Council, but not one of the Professors in the University is permitted to do the same. I have not yet heard any reason why that invidious distinction should be made between the two bodies. I should have thought that upon the *rationale* of the question, the weightier reasons would be in favour of the Professors, and for this reason: that the Universities of Scotland owe their distinction in the past, and will owe any success which they may have in the future, not to the provisions of any Bill of this character, however useful they may be, and I admit their usefulness to the full, but upon the character and the attainments of the Professors who constitute the Senatus.

THE MARQUESS OF LOTHIAN: My Lords, I cannot help saying that I am sorry the noble Earl has thought it right to introduce this Amendment; because the form in which he has put it (and I admit that the arguments he has used are very strong) makes it appear that the Government by this proposal in the Bill desires to put an invidious distinction upon the Professors, but I need not say that is very far indeed from the intention of the Government. In the University Courts the Senatus Academicus are fully represented by the four Assessors. The Senatus Academicus elects four Assessors, and the Council also elects four Assessors. As I understand, what the noble Earl contends is, that this puts a slur in some way upon the professorial element.

*THE EARL OF CAMPERDOWN: And upon them alone.

*THE MARQUESS OF LOTHIAN: Upon them alone; that they are debarred from voting as members of the General Council. It is possible there may be differences of opinion upon matters affecting the University between the Assessors who represent the General Council and the Assessors who represent the Senatus Academicus. I do not like to look forward to any such differences, but it is possible

they may arise, and I cannot help thinking it is a provision your Lordships will accept which secures that while the Senatus Academicus has a larger representation than by the Bill of last year, not only in actual numbers, but in proportion, they should not have a vote for the Assessors as members of the General Council. I really do not know how to answer the noble Earl when he says this is a provision which is invidious to the Professors; still less do I know how to answer Lord Watson's remark, from which he appears to think that the Government do not recognise to the full what the Universities have owed to the Professors in the past, and how much the success of the Universities will be due to them in the future. But the Government wish to draw no such distinction. They do recognise most absolutely, and to the full, that the entire success of the Universities must depend upon the professional body. But there was one point advanced by the noble Earl which rather tells against his own argument. He pointed out, and very truly, that the professorial vote, if allowed to them as members of the General Council, would be infinitesimal. I would ask, is it worth while when the Bill comes up from the House of Commons in this form to raise this question, which is really a question of sentiment? Really, it is nothing more than a question of sentiment; because the noble Earl has himself shown that the voting power of the Professors on the General Council would be almost *nil*; that is so say, it would come practically to about 1 in 150. My Lords, I am afraid I cannot accept the Amendment of the noble Earl, but, in declining to accept it, I repeat that I most absolutely repudiate the idea of a slur of any kind being put upon the merits of the professorial element in the Universities of Scotland.

*THE EARL OF CAMPERDOWN: I am sorry, but I shall be obliged to take the sense of the House upon this question. If I wanted an argument in support of my position, I do not think I could find a stronger one than the speech which the noble Marquis has just delivered. Because, what does the noble Marquis say? He says it would be a great mistake for the Professors, or any one else, to suppose that, by this enactment, the Government intend to cast a slur upon them. That is not the question. The question is, what the Bill does, in fact. It is no use telling a man that you do not intend to cast a slur upon him if you disfranchise him. The Professors ask why this has been done. It was not done when the Bill first came into the House dealing with the position of all these various parties and Universities. If the Government intends to inaugurate a system of counting up votes, and to say that so-and-so will have so many votes in a particular assembly, and, therefore, that they have no right to complain if they are not allowed to vote for the Assessors, I think they have set themselves an impossible task, and a task which I do not think Parliament either can, or ought to, undertake. I wish to remind your Lordships again that, by this Bill, great power is given to the University Courts and to the General Council. It is not a question whether there is any intention to cast a slur or not, but it is a question whether it is not a wrong step, a very wrong course indeed, as it is a most invidious thing, to take away the votes of these Professors. I am very sorry to be forced to take the sense of the House upon the matter, but I am afraid I must do so.

Amendment, Clause 5, page 4, line 39, to omit the words, "No member of the Senatus Academicus of any University shall be entitled to vote or take part in the election of any Assessor of the General Council of the University."

On Question, "That those words stand part of the Clause," their Lordships divided:—Contents, 24; Not-contents, 8.

*THE EARL OF CAMPERDOWN: My Lords, I propose, in Clause 8, to leave out the words "University Court," and to substitute the word "Commissioners." The object of the Amendment is this: As the Clause now stands, it will be necessary, on the 1st February every year, for the University Court to fix the Governors of the General Council. Should there be any points of difference, it merely means that you will give facilities for raising and reviewing them, by each year fixing the number of the quorum of your General Council. I propose that the number should be fixed by the Commissioners, and the result would be that, in the future, if any one wished to make an alteration in the General Council, if

the Court were disposed to do so, the thing would be done. It is very desirable there should be the means of raising questions every year. Then, of course, by a subsequent Clause in the Bill, after the expiration of the Commissioners' functions, it is in the power of the Court to pass any necessary ordinance.

THE MARQUESS OF LOTHIAN: I am not quite sure that the number fixed by the University Court, as proposed by the noble Earl, would not remain in perpetuity.

*THE EARL OF CAMPERDOWN: In Clause 21 it says they shall have the power of altering or revoking any ordinance framed and passed under the Act of 1858, and of making new orders.

THE MARQUESS OF LOTHIAN: I do not think that would come under the new ordinance. I think they would be absolutely unalterable. However, I will consider the matter.

*THE EARL OF CAMPERDOWN: May I ask the noble Marquess whether he will give it his favourable consideration?

THE MARQUESS OF LOTHIAN: I cannot say that I will give it favourable consideration, but I will give it consideration.

Remaining Clauses agreed to.

COMPANIES CLAUSES CONSOLIDATION ACT, 1888, AMENDMENT BILL.
(No. 187.)

Read 3ª (according to order), and passed.

PRINCE OF WALES'S CHILDREN BILL.
(No. 212.)

House in Committee (according to order; Bill reported without amendment; and to be read 3ª to-morrow.

MARRIAGES (BASUTOLAND, &C.) BILL.
(No. 155.)

Commons Amendment considered (according to order), and agreed to.

LUNACY ACTS AMENDMENT BILL.
(No. 199.)

Report from the Committee of the reasons to be offered to the Commons for the Lords disagreeing to certain of their Amendments; read, and agreed to; and a message sent to the Commons to return the Bill with Amendments and reasons.

House adjourned at a quarter before Seven o'clock till to-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 8th August, 1889.

PRIVATE BUSINESS.

SUCK DRAINAGE BILL.

Motion made, and Question proposed,

"That, in the case of the Suck Drainage Bill, Standing Orders 84, 214, 215, and 239 be suspended, and that the Bill be now taken into consideration, provided that amended prints shall have been previously deposited."—(*Mr. Herbert Gardner*).

MR. STOREY (Sunderland): There was a public Bill for the drainage of the Suck recently before the House. That Bill has been withdrawn, and now we are to have a private Bill considered upon the Suspension of the Standing Orders. It is a Bill of an extraordinary character. It is not, in a right sense, a private Bill at all. It was originally a public Bill, but in the process of being passed through this House it has been transformed into a private Bill, and a private Bill of the very worst type. There has been inserted in it a clause empowering the Government to hand over to private speculators a sum of £50,000 of the public money.

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): No.

MR. STOREY: As I understand the Bill, it was originally a measure to enable a body of persons who had commenced operations for the drainage of the River Suck to continue those operations. The promoters, consisting principally of landowners, obtained some years ago power to carry out these works and to obtain the money from the Government by loan. When they proceeded with the work, that happened to them which has happened to every similar body in Ireland—they found that the estimates placed before them were woefully and hope-

lessly inadequate. All the money has been spent, and now they come to Parliament for extended powers. The Government introduced a public Bill to enable them to grant £50,000 out of the public funds, but under the stress of the opposition which it met, the Bill was withdrawn, and now a clause empowering the Government to give the £50,000 has been, or is to be, inserted in the present Bill.

MR. MADDEN: No.

MR. STOREY: The hon. Gentleman says "No." Then how is it intended to get this money? Every one knows that if this sum of £50,000 is not given in a free grant it will be impossible to go on with the works. The money is absolutely necessary, and the Government have hit upon this excellent plan of granting it. They were conscious that they would be unable to pass a public Bill this year, and they, therefore, support this private Bill in which they propose to insert a clause guaranteeing as a free gift this sum of £50,000 of the public money.

MR. MADDEN: No.

MR. STOREY: Then what is the object of the clause? If this were a private Drainage Bill under which the promoters proposed to carry out the works at their own expense or under existing Acts I should not have felt it necessary to take any objection. The fact is that the promoters have begun the work; they have expended a large sum of money, and they find that the effect produced has been absolutely *nil*. So far it has done more harm than good, and unless they can get more money than was originally asked for the whole of their works will be useless. Clause 5 of the amended copy of the Bill issued to Members says that the costs, charges, and expenses before and after the passing of the Act shall be defrayed out of money provided by Parliament as a free grant, not exceeding in the whole £50,000.

MR. COURTNEY (Cornwall, Bodmin): May I be allowed to interrupt the hon. Member for a moment? It is perfectly true that a clause to that effect appeared in the Bill, but it could not be inserted in the Bill until a previous Resolution had been agreed to by the House, therefore, when in the Committee the clause was struck out, and the Bill as it now appears is in precisely the form to which the hon. Member takes no objection. It is a Bill for the raising of capital, and it provides for the due representation of the persons interested upon the Drainage Board.

MR. STOREY: I am obliged to the right hon. Gentleman for his explanation. I have no doubt that the Bill, from his point of view, is an innocent Bill, but from my point of view it shows the trail of the serpent. It proposes that the Government shall have power to lend £115,000 to these gentlemen, but the Government know and the House ought to know that admittedly that sum is not sufficient for the purpose. But if this Bill passes it is intended to bring in a further Bill of a single clause empowering the Government to give an additional sum of £50,000. This may be an exceedingly clever proceeding, but it is one to which I take a serious objection, and I beg to move as an Amendment that standing order No. 84 be struck out of the Motion.

SIR G. CAMPBELL (Kirkcaldy): The ways of this House are extremely wonderful. About five minutes ago I went to the office of the House to get a copy of the Bill, and I found in it a clause to the effect that the taxpayers of this country are to pay £50,000 towards the expenses of this Suck Drainage. Therefore, hon. Members cannot be blamed if they have been misled and knew nothing of this clause having been struck out. I am reminded very much of what happened in the American War. Armed cruisers were fitted up, but the guns were not put on board, they were sent out from this country perfectly innocent cruisers, but they met the guns somewhere else and took them on board. That seems to me to be precisely the nature of this Bill. The Government want to smuggle this dangerous cruiser through the custom house of the House of Commons, and then put the guns on board in another stage. In that case all criticism in regard to the Bill will be evaded. The Government have learned their lesson with regard to the public Bill, and now they want to avoid criticism. It appears to me to be hardly a fair way of dealing with the matter. None of us knew of the existence of such a proposal, and it was only by accident we were warned that such a measure

was to be brought forward. So far from the Bill being an innocent measure, I look upon it as a cruiser which is to be armed hereafter, and I shall, therefore, second the Amendment.

Amendment proposed, to leave out "84."—(*Mr. Storey.*)

Question proposed, "That '84' stand part of the Question."

COLONEL NOLAN (Galway, N.): This is really a very simple Bill, and although the hon. Member for Sunderland (Mr. Storey) has called it clever, I look upon it as an honest and straightforward proceeding. What has happened is this: A number of proprietors have established the Suck Drainage Board. They have spent £100,000 and the whole value of the works will disappear and the money be absolutely lost unless something further is done. There can be no doubt that great good has been done to the low lying lands by the works already constructed. The people of the district have spent £100,000 and the Government is asked to give £50,000. The time for the hon. Member for Sunderland to raise an objection is when the Government come forward to give this £50,000 as a free grant. The hon. Member seems to think that the Government have done something dreadfully wrong in dropping a public Bill and allowing the promoters to bring in a private Bill, but he forgets that he himself offered such an amount of opposition to the public Bill that it was impossible at this period of the Session to pass it. I sincerely trust that the House will not allow the Bill, which is a perfectly innocent measure, to be rejected because the Government may hereafter be called upon to contribute £50,000.

MR. T. M. HEALY (Longford, N.): The hon. Member for Kirkcaldy said that the ways of this House are perfectly wonderful. So are the ways of some hon. Members in the House. Last year when the Ulster Canal Bill was before the House the right hon. Member for Halifax (Mr. Stansfeld) was mainly instrumental in handing over to a private company a sum of £300,000 against the wishes of the Irish Members, and I now ask that the same measure should be meted out to the promoters of the present Bill. In this case we have a body of landowners who have already expended their own money—a good deal of it foolishly no doubt—asking for a Government Grant. Why should they not have it? This country has robbed Ireland long enough, and it is high time that we got a little of our money back again. I fail to see why hon. Members should now be straining at a gnat after having swallowed a camel in connection with the Ulster Canal. In my opinion, this is a most excellent Bill, and it is the first time in the history of the landlords of Ireland that they have proposed to give representation to the ratepayers. During the last 90 years this country has taken 300 or 400 million sterling out of Ireland, and we are now simply trying to get £50,000 of it back again. I quite agree with my hon. Friend the Member for Cavan (Mr. Biggar) that unless we drain the Shannon it is of very little use to drain the Suck, but the engineers are of a different opinion, and I am ready to place my drainage conscience, if there is such a commodity, in their hands.

*THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E): As the House is aware, the Government originally brought in a Bill dealing with the drainage of the Suck. We have now withdrawn that Bill, and in lieu of it a private Bill has been brought in. I am aware that great objection was raised in various quarters to the Government scheme, but perhaps the same objections do not apply to this measure. A very large amount of money has already been expended upon the drainage of the Suck; a considerable number of labourers are at this moment engaged upon the works, and unless this Bill passes this Session that money will have been wasted and the works must be stopped.

MR. STOREY: What amount of money has been spent by the promoters?

*MR. A. J. BALFOUR: £100,000.

MR. STOREY: Which was borrowed from the Government?

*MR. A. J. BALFOUR: Yes, borrowed from the Government. But the labourers who are now engaged will be turned off, and if at any future time Parliament should decide upon resuming the construction of these works it can only be done at a great loss. We cannot leave the works half finished without squandering the money which has been spent already. I, therefore, hope that all who have the interest of Ireland at heart will support the Bill.

MR. PHILIPPS (Lanark, Mid): The hon. Member for North Longford (Mr. T. Healy) complains of something that was done last Session in reference to the Ulster Canal Bill, but we supported him on that occasion, and I think it is rather hard that we should be subjected to his reproaches now. Originally four Drainage Bills were introduced by the Government this Session, and the Chief Secretary has done his best to slip one of them through. He put down a notice that they were to be referred to a Select Committee, but the Bann Drainage Bill was the only one submitted to the Committee, although the Committee took it for granted that the other three would be brought before them in due course. I cannot, therefore, understand why this attempt should be made to slip one of these Bills through the House when there is a Committee in existence to whom the whole subject was referred. The right hon. Gentleman says that if the Bill is not passed the money already expended will be wasted, but that will be the fault of the Government themselves, because they might have taken these Drainage Bills in the week which was devoted to the consideration of the Royal Grants. Under these circumstances, it is too bad for the Government to come forward at this period of the Session and attempt to throw on us the responsibility of wasting the money which has already been expended. I do not think that the money has been spent for any useful object at all. Most of the money which has been spent in the improvement of the Irish rivers has been absolutely thrown away. I see that hundreds of thousands of pounds have been spent on the Bann drainage works, while the total receipts are £70 a year, and it costs £1,100 a year to keep them up. I think the House will do wisely to reject this Bill altogether.

*MR. HAYDEN (Leitrim, S.): So far as the drainage operations are concerned, I believe that, since the composition of the Board was changed two years ago, they have been carried out to the satisfaction of all the parties concerned. If this Bill is not passed, the money already expended will be lost, and a large number of labourers will be turned adrift. Under all the circumstances, I think it is better that we should accept the money which the Government offer to give.

*DR. COMMINS (Roscommon, S.): I wish to add my testimony to the useful nature of these works. The Bill as it stands pledges the credit of the ratepayers for the money, and it is, perhaps, the first instance in which landlords and tenants have cordially united in an effort of local government. They are endeavouring to help themselves, and have already pledged their credit to the extent of £100,000, which they will have to pay whether the money is lost or not. I believe that if the grant proposed to be given by the Government is sanctioned by this House, the whole of the money already expended will prove remunerative. I am by no means in favour of subsidies, but in this case, it is to be given in support of a well meant effort to improve the condition and cultivation of the district, in which parties of all shades of political feeling have joined.

MR. STOREY: I should like to have your ruling, Sir, upon a point of order. Upon the Order Paper to-day, No. 21, is "Suck Drainage [Provision of Funds]: Committee thereupon." The object is to pass a Resolution for the purpose of bringing in a Bill to provide the £50,000 which is to be granted to the promoters of this Bill. What I wish to know is whether it is in order to take this Bill into consideration until that Resolution has been passed?

*MR. SPEAKER: That Resolution has no reference to the present Bill, and there is nothing out of order in taking a Bill into consideration.

MR. STOREY: Standing Order No. 81 requires that the Chairman of Committee of Ways and Means shall make a Report to the House previously to the Second Reading of any private Bill by which it is intended to authorise, confirm, or alter a contract with any Department of the Government whereby any charge upon the Imperial Exchequer may be created. And any Resolution to that effect must be circulated, with the Votes, two clear days at least before being considered by a Committee of the whole House. Although this Bill does not authorise, confirm, or alter a contract, it is a private Bill, the object and aim of which is to create a charge of £50,000 upon the Imperial Exchequer. In this case there has been no Report from the Chairman of Committees of Ways and Means and no Resolution.

*Mr. SPEAKER: There is nothing in the Order to which the hon. Member refers which renders it out of order to proceed with this private Bill. The question before the House is the Suspension of the Standing Orders, so that the Bill may be considered.

Mr. COURTNEY: The hon. Gentleman has cast a reflection upon the manner in which I have discharged my duty, but he has himself admitted that there is no contract touched upon in the Bill which required a Report. The Bill is absolutely independent and complete in itself. It is an ordinary Drainage Bill, and as such has passed through Committee, and is now awaiting consideration. I understand that, if possible, the Government propose to pass through the House another Bill, but it will be a totally distinct Bill, and will have the effect, if passed, of giving to this Drainage Board a grant of £50,000. It is quite evident that if that Bill does not pass the Drainage Board will be unable to complete their operations. I do not offer an opinion one way or the other. I am only pointing out that this Bill is complete in itself.

Mr. STOREY: Upon the point of order I contend that the object of this Bill is to "alter" an existing arrangement with a view of throwing a pecuniary burden upon the public.

Mr. SEXTON (Belfast, W.): It was resolved, some years ago, that in connection with these drainage works a sum of £100,000 should be expended not by the Imperial Exchequer, but by a local levy. It would, perhaps, have been preferable that the matter should have been dealt with by a public Bill, but that being impossible a private Bill has been introduced. I do not think that the House ought at this stage to disregard the opinion of the Committee to whom the Bill has been referred. If it could be shown not only that the money already expended has been wasteful and useless, but that it would be wasteful to expend more, there would be a case against the Bill, but it has not been contended that the additional expenditure now proposed will fail to make the former expenditure effectual.

Mr. CHANCE (Kilkenny, S.): I hope that the House will not pass the Bill. We have been informed that the measure is wholly independent in itself. So are the letters of the alphabet. J is simply a letter and so are O and B; but J O B spells job. The provisions of the Bill are to be coupled with a grant of £50,000 out of the pockets of the taxpayers, and, therefore, they cannot be looked upon as independent in themselves. We are told that this is an admirable work, but the promoters have not afforded us an opportunity of judging whether that is so or not. The promoters say that the works will be useless if this Bill is not passed. It is not a matter of much consequence whether that is so or not, because they cannot be of any permanent advantage.

Mr. BIGGAR (Cavan, W.): We are told that if the Government give £50,000 the work already done will not be lost. I presume that is on the principle of throwing good money after bad. It is further said that the works were badly managed by the old engineer, but that there is a new engineer now, and the works will be better carried out. But we have no guarantee, as far as I can see, that the new man will be any better than the old. All we know of the old engineer is that he failed, and there is every reason to suppose that the new man will fail also. I believe that the engineer was guilty of an act of great folly. Instead of commencing at the mouth of the sea, he commenced at the upper end of the Suck, with the certainty that the obstructions and floods would be far greater than they were before.

*Mr. PIERCE MAHONY (Meath, N.): Only this week I had reason to put a question to the Government in regard to money spent in connection with harbour works at Fenit, County Kerry, directly contrary to the instructions of the Lord Lieutenant, under which the ratepayers were induced to give a guarantee, and I was informed that although the Government admit the misapplication of funds in this instance, still they can suggest no remedy. Under these circumstances, until the Government can find some means of securing the proper application of money so granted I shall vote against this and every similar Bill.

The House divided:—Ayes 147; Noes 49.—(Div. List, No. 287.)

Main Question again proposed.

MR. STOREY: I believe that I should be in order in moving the omission of the other Standing Orders. I do not propose to take that course, but I shall divide the House against the Motion.

The House divided:—Ayes 151; Noes 50.—(Div. List, No. 288.)

Bill considered.

MR. STOREY: I think that we, who have taken a consistent course in regard to these Drainage Bills, have good reason to complain of the conduct of the Government in persisting with this Bill, after having abandoned the Shannon and the Barrow Bills.

*MR. SPEAKER: Does the hon. Member intend to move an Amendment?

MR. STOREY: I intend to move the omission from Clause 25 of the words "one hundred and fifteen," in order to insert the words "sixty-five," my object being to provide an adequate sum for the works in question, inasmuch as the Government themselves have declared that they cannot be completed under £165,000.

*MR. SPEAKER: It is not competent for the hon. Member to widen the scope of the Bill by increasing the amount provided for in the measure.

MR. STOREY: In that case it will answer my purpose just as well to move to reduce the amount.

*MR. SPEAKER: It will be for the House to consider whether such an Amendment as the hon. Member has announced would not be a trifling Amendment.

MR. STOREY: Even at the risk of subjecting myself to your censure and to the censure of the House I propose to move such an Amendment as a protest against an inadequacy of the sum provided for in the Bill. I maintain that the real object of the promoters is to get this sum of £115,000 in order that it may afterwards be supplemented by a grant of £50,000 from the Imperial Exchequer, and, as I have said, even at the risk of subjecting myself, Sir, to your censure, I do not think that that is a proper proposition to put before the House. The Chief Secretary, in moving the Second Reading of the Public Bill, distinctly stated that the works would cost £165,000, and to give borrowing powers to raise £115,000 only must be altogether abortive, and every penny of the expenditure will come out of the Public Exchequer. Some day it may be repaid; but if so, it will be a very exceptional experience. Unless the Government grant £50,000 in addition the works cannot be carried out. £100,000 out of the £115,000 have already been expended, and the only effect of this Bill, without the Government grant, will be to throw away £15,000 more of the public money. In the interests of the Public Purse, and altogether careless of of the estimate which the Treasury Bench may place upon my proceeding, I intend to resist this Bill as far as I can, believing that it is vicious in itself, and that the Government are attempting by a side wind to avoid a discussion of the matter. I had no intention of trifling with the House.

*MR. SPEAKER: What I said was that the House would judge whether the Amendment was not a trifling Amendment. The hon. Member moved, in the first place, to increase the amount, and he now moves to diminish it. Will the hon. Member state what his precise Amendment is?

MR. STOREY: I move to reduce the sum from £115,000 to £100,000. I said I would do so as a matter of Parliamentary tactics, and in order to show that the financial provision in the Bill is inadequate unless it is supplemented by a free grant from Parliament. I beg to move the omission of the words "and fifteen."

Amendment proposed, in page 5, line 28 and 29, to leave out the words "and fifteen."—(*Mr. Storey.*)

Question proposed, "That the words 'and fifteen' stand part of the Bill."

COLONEL NOLAN: It is difficult to follow the arguments of the hon. Member for Sunderland. I thought he was going to lend us too much money; but towards the middle of his speech he changed his intention, and suggested that we should have received £100,000 instead of £115,000. I know the hon. Member says he has made the Motion as a mere matter of form; but his mere matter of form might have the effect of throwing a large number of men out of work. Of course, it is as well the hon. Gentleman should be allowed to air his eloquence. What is the use of the hon. Member being eloquent if he has not occasionally an opportunity of airing it?

But the hon. Gentleman has majorities of 98 and 101 against him. It is perfectly clear that the House want to pass this private Bill, and by what he is doing the hon. Gentleman can only succeed in wasting the time of the House and prolonging the discussion. He has put his case very well; with such an extremely bad case, I wonder he could do so well. I can understand the House refusing Ireland money or refusing it a particular Bill; but for a small minority to prevent the Government bringing forward a proposition which they think they ought to do in justice to Ireland, is hardly treating the weaker country fairly.

*Sir J. SWINBURNE (Staffordshire, Lichfield): May I ask the First Lord of the Treasury whether the interest on the public money expended on the Shannon has been paid regularly?

*The FIRST LORD OF THE TREASURY (Mr. W. H. Smith, Strand, Westminster): If the hon. Gentleman will give notice of his question, I will endeavour to give him an answer.

Mr. CHANCE: I have to congratulate the hon. and gallant Gentleman upon his championship of the rights of a majority, but I think his observations would have come with better grace from a Gentleman who was in the habit of being one of the majority. I have also to congratulate him in his startling novelty. I heard with surprise the hon. and gallant Member say he was afraid the House would grant Ireland too much money. I say without fear of contradiction that that is the very first time the hon. and gallant Member has been troubled with scruples upon the point. I have never known him afraid that too much money would be granted upon these semi-charitable, and, I may say, semi-jobbing works. I do not think the Amendment is a frivolous one, and I am strengthened in that belief by the fact that when, on the Estimates, some one desires to object to the insufficiency of the amount granted, the only thing he can do is to move that the Vote be reduced.

*Mr. SPEAKER: I must ask the hon. Gentleman to discuss the particular Amendment before the House.

Mr. CHANCE: That was what I was attempting to do——

*Mr. SPEAKER: Order, order!

Mr. CHANCE: The case of the hon. Member for Sunderland is a very simple one: it is that it is unsafe to give power to borrow £115,000, and he sees a lesser danger in permitting £100,000 rather than £115,000 to be borrowed. I will not say more, but simply content myself by declaring that I propose to support the hon. Member for Sunderland, whether my reasons commend themselves or not to the House.

*Dr. COMMINS: There is a consideration in favour of this Bill which seems to have been overlooked. It is evidently forgotten that all these works are embankment works. The Suck runs through peat moss, and great mischief is done by it overflowing its banks. Crops are destroyed, and disease often disseminated. In order to provide against such a state of things, the works so far have been mainly embankment works. The money spent will be lost unless the works are completed. The House is called upon to make a beneficial work complete, and prevent it from being what it will otherwise be—a source of danger. In fact, if the work already undertaken is not made complete, it will be a curse instead of a blessing to the people of the neighbourhood, as an overflow, if it should happen, would be all the worse for it. It is upon this that I shall support the Bill.

Sir G. CAMPBELL: In the course of a somewhat long life spent in administration I have heard a great deal of what the hon. and learned Gentleman has just told us. A great deal of money has been spent in embankment works, and no good done. I object to these works being undertaken at the expense of the taxpayers.

Mr. PHILIPPS: The hon. and gallant Member for Galway said the House was very anxious for this Bill. I do not know what there is to make the House anxious for the Bill, because this is the first opportunity we have had of discussing the Bill in the House, while no statement has ever been made on behalf of the Bill. It has been said that if a great deal more money is not spent on the drainage of the Suck, the money that has already been spent will be absolutely wasted. But then, as far as I can understand, it is admitted on all sides that, to complete the drainage of the Suck, not £115,000, but £165,000 is required. If £115,000 is not enough

to finish the drainage of the river, I do not suppose we shall do much perceptible harm if we reduce the sum to £100,000. The hon. and gallant Member also said it is only a small minority who oppose this Bill; but let me point out that it is a growing minority. Last year one of these Drainage Bills was opposed by only three Members, but now most of the hon. Members who sit on this side go into the Lobby in opposition to this Bill. The hon. and learned Member for Roscommon said that disease is generated and crops are destroyed by the overflowing of the river. But surely all these facts ought to be put before the House. Some Member of the Government should put these facts before us in an authoritative way. This Bill has been introduced in a private way, and by it we are asked to lend money for an object in favour of which not a single argument has ever been advanced by anyone in a position of authority.

MR. T. M. HEALY: Should I be in order, Mr. Speaker, in making the Motion the right hon. Member for Halifax made on July 2, 1888?

*MR. SPEAKER: I am sorry to interrupt the hon. and learned Gentleman, but I have used a strong expression from the Chair. I remain of the same opinion; but I think it would perhaps be well to allow the House to take a Division upon the Amendment in the ordinary course before the House.

The House divided:—Ayes 182; Noes 56. (Div. List, No. 289.)

MR. PHILIPPS: I now beg to move the omission of Sub-section (a) of Clause 6. We have not heard a word from any Member of the Government, or from any member of the Select Committee, as to the additional value which is to be given to the lands specially benefited by this drainage scheme. If the drainage is going to improve the value of the lands specially benefited why should not these lands pay the whole expense of the scheme? Sub-section (*a*) charges the sum of £13,000 upon a certain contributory area. I do not want to be unfair. I do not want to charge the whole of the cost on the lands specially benefited, unless those lands are going to receive large benefits. Perhaps some one will tell us what was the evidence taken before the Select Committee, and at what amount the improvement of the lands specially benefited was assessed? Of course, if I receive a satisfactory reply I shall be ready to withdraw my Amendment.

Amendment proposed, in page 4, line 34, to leave out Sub-section (a) of Clause 6.—(*Mr. Philipps.*)

Question proposed, "That Sub-section (a) of Clause 6 stand part of the Bill."

MR. CHANCE: I think that before we divide upon this Amendment we should have some explanation as to the incidence of the charges.

*MR. W. H. SMITH: May I point out that these are questions which were dealt with in Committee, and that if our private Bill legislation is to have any value, we must assent to the verdict of the Committees? It is impossible for this House to go into details and the grounds upon which the conclusions of Committees were arrived at. It must be obvious to the House that if we debate here the details of every private Bill, it will be utterly impossible for the House to conduct its private legislation and any legislation whatever.

MR. STOREY: I think that is a fair contention to make in the case of ordinary Bills. The point we make is that we ought to have an opportunity of discussing the details of these Drainage Bills when we are called upon to give £50,000 as a free grant; but that owing to the peculiar methods adopted by the Government, we shall be prevented from discussing the details. There will simply be a clause granting £50,000 for the Suck drainage, and on that clause it will be impossible to discuss the details. We cannot permit such Bills as this to pass without opposition. As to the particular point before the Committee, our contention is similar to that we urged on the other Bill. We hold that if there are advantages accruing directly to certain lands, those lands should be required to bear the cost of the works, and that you should not go to other lands which benefit merely because they are in the locality and compel them to bear part of the expense. That is our contention, and it is a contention which, if we had been in Committee on the original measure, we should have sustained by prolonged argument. We admit the difficulty of considering these

points in a private Bill, but the blame does not rest with us; it rests with the Treasury Bench, and the Treasury Bench alone. The right hon. Gentleman the First Lord of the Treasury has not defended it, and if the right hon. Gentleman the Chief Secretary were present he would not defend this particular provision. The only reason for its adoption is that they find it extremely hard to raise the money, and they try all sorts of Irish devices for raising it instead of adopting the old-fashioned Irish method—the method practised before Ireland was debauched by England—of making those who benefit pay for the benefit they receive.

MR. COURTNEY: This Bill came before me in the ordinary way as an unopposed Bill, and all its details were considered. It would have been in the power of hon. Members who object to the measure to oppose it, but it was not opposed and was committed like every other ordinary unopposed private Bill. The hon. Member (Mr. Storey) may stake his head as much as he likes, but he cannot alter the fact by so doing. The hon. Gentlemen in charge of the Bill and the Speaker's Counsel came before me to consider the details of the Bill which were dealt with in the ordinary way. With regard to the particular Amendment now before the Committee there is a distinction drawn between lands drained and benefited and land benefited though not drained; but there is no doubt that the works under the Bill will have a beneficial effect on the slopes above the actual drainage area. The hon. Gentleman shakes his head again, whether at the principle I state or at the facts to which I have referred I do not know. I should have thought the principle commends itself to everyone, and as to the facts they were proved before me. Due notice was given of the Bill by advertisement in the district interested, and if there had been any objection to the scheme opposition would have been offered; but there was no opposition. The locality at large must be taken as assenting to the Bill, in so far as they showed no dissent. It may be impossible by arguments or facts to convince those who have made up their minds not to be convinced; but, at any rate, the conduct of the Bill before me was perfectly regular.

SIR G. CAMPBELL: This Bill, as the right hon. Gentleman says, was treated as an unopposed Bill; consequently, there was no real discussion on it. We are told that we could have opposed it at an earlier stage, but we knew nothing about it. It was smuggled through Committee. ["No, no."]

MR. COURTNEY: Then everything is smuggled through Committee.

SIR G. CAMPBELL: Opportunity was given for private individuals to oppose the Bill if injuriously affected by it, but this measure affects the pockets of the British taxpayer, which is a very different thing. The Bill has been described as a conjunction of the letters "J O B"—job—but to my mind, it is something more than a job—it is a dodge. Advantage has been taken of a private measure to get a principle through the House which could not be got through in a public Bill. These are the circumstances under which the Bill now appears before us, and I say we are amply justified in discussing its details. We had no opportunity of knowing what was going on in the Private Bill Committee; and though I have every respect for the opinion of the Chairman of Committees, I think I am not wrong in saying that when a Bill has gone before him as an unopposed Bill it is not his function to rise——

*MR. SPEAKER: I fail to see how the hon. Member's observations are relevant to the question before the House, which is that of security for the repayment of advances.

SIR G. CAMPBELL: That question is most important. I understand from the First Lord of the Treasury that no interest on the advances in connection with the Suck drainage has been paid——

*MR. W. H. SMITH: No such question was ever asked. The question put was in regard to the Shannon drainage.

SIR G. CAMPBELL: Very well; I would now ask if any interest has been paid on the advances made for the Suck drainage. I am told the interest is still owing; and if that is so, I say it would be wrong to permit these people to incur new liabilities while they have not discharged their old ones.

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I can answer the hon. Gentleman's question.

The money advanced has been advanced on the security of the property, that is to say, the property of the area drained, and I believe I am justified in saying that that security is quite ample in every respect.

SIR G. CAMPBELL: Has the interest due been paid?

MR. JACKSON: If the hon. Gentleman will give me another moment I will satisfy his curiosity. Until the works have been completed or stopped—admittedly stopped—no award can be made of the charge which will come upon the different districts; and until that takes place the interest upon the sum already advanced accumulates. I am not aware that there is anything whatever unusual in that, therefore the obstruction now being offered to this Bill—[*cries of* "Oh!"]—well, if hon. Gentlemen do not like that word, the delay which is taking place in the passing of the Bill will delay the repayment of the money. The way to recover the money is to pass this Bill.

The House divided:—Ayes 197; Noes 60.—(Div. List, No. 290.)

SIR G. CAMPBELL: I beg to propose an Amendment at the end of Clause 6, which, I think, will be regarded as a very reasonable one. We all know that the interest of these advances has not been paid, but has, as it is emphatically called, been allowed to "accumulate." Under the circumstances I would move the Amendment which I have placed on the Paper.

Amendment proposed, in page 5, line 10, at the end of Clause 6, to insert the words—

"Provided that the interest on all moneys borrowed under the provisions of previous Acts, and secured on the same subjects, shall first be paid."—(*Sir George Campbell.*)

Question proposed, "That those words be there inserted."

COLONEL NOLAN: The Amendment is an utterly absurd one. There can be no payment until the award is made. After a drainage work is executed the engineer goes down and awards so much for each proprietor to pay. At present the proprietors do not know how much they have to pay. They cannot, therefore, pay the interest—no matter how willing they are to do so; and meanwhile all the works will be stopped, the men thrown out of work, and all the present evils increased.

MR. STOREY: I should like to ask where is the absurdity of the Amendment? We are aware that there is to be an award, and that the individual proprietors will not know how much interest they have to pay till the award is made. But we do not ask individual proprietors to pay. We are dealing with the promoters of the Bill; and are promoters to come to the House and ask for loans and to be so impecunious as not to be able to pay the interest they owe? I ask the House to reflect on what they are doing. It is all very well to say that the interest for the last 10 years has never been apportioned; why if it is apportioned it will never be paid. We are going to carry this evil on still further. There will be no award until the works are completed; and who believes that they will be completed with this amount of money? In a year or two hence a further sum will be asked for, and we shall be told that until that is expended no interest will be paid. Sir, I hope the Amendment will be pressed to a Division. We stand here determined to show the country that this is a deliberate attempt in an underhand fashion to get public money; and we do not mean to be brow-beaten by any one person, or any number of persons, or to be prevented from declaring that we intend on behalf of our constituents to resist the application of this money.

*DR. COMMINS: The observation that this is a deliberate attempt to get public money is an observation that might be applied to every private Bill the object of which is to borrow money from the Treasury. The hon. Member says he has had no opportunity of examining the provisions of the Bill, but not a thing was done to prevent any Member examining the Bill in the fullest manner. It passed through Committee in a most ordinary way, and the subject has been before us since the early days of the Session. The hon. Member has dealt with the Bill as though it were a private speculation for the benefit of private promoters, but that is not the case, as no one of them whatever will gain a penny by it—certainly not those in charge of the Bill. It is not a Bill to promote private interests, it is a Bill to support public improvements.

MR. CHANCE: We have had from the Secretary to the Treasury what we usually do have from him, an extremely straightforward, candid, and modest explanation of the circumstances of this loan. He has told us frankly that nothing has been paid on previous loans entered into a considerable number of years ago.

MR. JACKSON: I do not know if the hon. Member understood. I said nothing had been paid because no award had been made. Until that is done it cannot be said that the money is due.

MR. CHANCE: I quite understand. The hon. Gentleman stated nothing had been paid; not a penny had gone back to the Treasury, because, as he said, there had been no allotment of land. But what I should like to know is this: when the original loan was made by the Treasury was that transaction complete in itself, or was it contingent upon the future advance of this £115,000 more? I have heard of such a transaction generally condemned as paying interest out of capital, and these financial arrangements seem to me to be very like that of paying the interest on old liabilities by incurring new liabilities, and so we may go on *ad infinitum*. The Chairman of Ways and Means has spoken of this Bill having been discussed in Committee, but the only discussion it received was from the right hon. Gentleman, two other Members of this House, and your counsel, Sir; but I do not think the House will consider that discussion in that way is altogether satisfactory before agreeing to a Bill on which is to be grounded a demand for £50,000 of public money. We have it from the Chairman of Ways and Means that this Bill was smuggled through the House.

MR. COURTNEY: No; I said that if this Bill was smuggled through the House, then every Bill was smuggled through the House.

MR. CHANCE: I take it the logical mind of the right hon. Gentleman enabled him to see the possibility of some smuggling transaction; the idea of smuggling occurred to his mind. It was smuggled through in some sense; the Government Bill was introduced as a "bonnet" or a stalking horse, while the private Bill was preparing.

*MR. SPEAKER: The hon. Member is not speaking to the Question before the House, the amendment of Clause 6.

MR. CHANCE: If the line I was pursuing is not open to me, Sir, of course I accept your ruling. I was led into it by the fact that an opposite line of illustration was taken by the right hon. Gentleman the Chairman of Ways and Means.

*MR. SPEAKER: Not upon this Amendment.

MR. CHANCE: No, not on this Amendment, but the same spirit runs through all the clauses. I will only say that in the statement of the right hon. Gentleman the Chairman of Ways and Means, when he alluded to the logical consequences of this, he could not show that the action of the Government in this matter has been fair and honest.

MR. PHILIPPS: My hon. and gallant Friend the Member for Galway says the Amendment is absurd because no money can be paid on previous Bills because no award has been made or can be made until the drainage works are complete. But I do not see how that follows, because any competent engineer knows what land he is going to drain, or he ought to know. If it is impossible for the engineer who drew up this drainage scheme to tell us what land he is going to drain and how much land is to be improved in value by the works, then I think the scheme ought not to be accepted. I would ask the Financial Secretary who has told us that interest has accrued on former loans, but is not due until the works are complete, to tell us what is the amount of interest that has accrued—I will not say is due—but what would be the amount due if the works were finished to-day? This is a question I think ought to be answered before we go to a Division.

*SIR J. SWINBURNE: I beg leave to move the adjournment of the Debate. This Bill proposes by a side-wind to provide the sum of £50,000.

Motion made, "That the Debate be now adjourned."—(*Sir John Swinburne.*)

And, it appearing to Mr. Speaker that the Motion was an abuse of the Rules of the House, he proceeded to put the Question thereon forthwith.

The House divided:—Ayes 52; Noes 218.—(Div. List, No. 201.)

Original Question put.

The House divided:—Ayes 58; Noes 217.—(Div. List, No. 292.)

MR. STOREY: I have another Amendment which I want to present to the critical consideration of the House. I have only got one more. It is in Clause 16. I have mentioned it privately to the right hon. Gentleman the Chairman of Ways and Means, and I am extremely hopeful that both he and the hon. Members from Ireland will join me in asking for this change in the Bill supposing we go to a Division. Clause 16 reads:—

"Any increase in the value of the land upon the occupiers interest, on which any annuity is charged, which shall have resulted from the execution of Works by the Board, shall be excluded in ascertaining the value of such land for any of the purposes of the Land Act (Ireland) 1881, and any Act amending the same."

The object of the clause as I want it would be this—that the increased value of the land accruing from these works should not be taken into account in order to increase the tenants' rent in future arrangements. We did this in the case of the Bann Bill, in regard to which the Chief Secretary in Committee frankly admitted that I was right in regard to my contention, and he made the alteration desired. The Amendment which I propose brings the clause of the Suck Bill exactly into the form of the clause which has been agreed to in the Bann Bill. I submit that if that form of clause be good for the Bann Bill it ought to be good for the Suck Bill. The clause as it stands in the Suck Bill does provide that within the flooded areas increase of value shall not be taken as a ground for increasing rents hereafter; but in the case of the lands which are immediately outside the flooded areas, the improvement which will accrue to them from the works to be carried out might well be taken account of in future settlements of rent to increase the rent. That would be extremely wrong, and I think we taxpayers who have to pay £50,000 to be provided out of the Public Exchequer, should ask that whatever value accrues from these drainage works should not be reckoned by the landlords in order to increase the rents which the tenants are to pay. If that be a fair contention, and it was felt to be unanswerable in the other case, I hope there will be no objection to my Amendment—Clause 16, page 8, line 25, after "land," to strike out the words "upon the occupier's interest in which any annuity is charged." I beg to move the Amendment.

COLONEL NOLAN: This is really a very small matter, and I hope the Government will agree to it. The Amendment involved reaches the vanishing point, but if these people outside are benefited, it is only right that they should pay for it.

MR. T. M. HEALY: The Amendment proposed by my hon. Friend is a very fair one, and I trust the Government will accede to it.

*DR. COMMINS: The Amendment provides for the valuation of the occupiers' interest as separate from the landlords', and simplifies the working of the measure very considerably.

MR. CHANCE: I hope the right hon. Gentleman will accept the Amendment. There are two classes of land which may be benefited by the change—land specially benefited without the obligation of an annuity, and land not specially benefited. As the clause is drawn, it is confined wholly to land specially benefited—that is, land upon which an annuity is charged. The land not specially benefited is within the contributory area. That land will derive some trifling advantage from the drainage works, yet it would, nevertheless, be subject to an increase of rent under this section, for the clause only excepts from increase land specially benefited. The Amendment will remove an anomaly, and will in reality do very little more.

MR. SEXTON: I trust the right hon. Gentleman will accept the Amendment, for it would be extremely hard if the outside occupiers, who will derive an extremely small advantage, should be subject to an increase of rent hereafter.

*MR. A. J. BALFOUR: The matter is very insignificant, and I certainly, on the part of the Government, shall not offer any opposition.

MR. COURTNEY: The intention of the promoters, as represented to me, was that no increase would be made in the future valuation of rents in consequence of these works.

Question, "That the words proposed to be left out stand part of the Clause," put, and negatived.

Motion made, and Question proposed,

"That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time."—(*Mr. Herbert Gardner.*)

MR. STOREY: I think I may appeal to the right hon. Gentleman after the evidence he has had of the objections to this particular Bill in its present shape to postpone the Third Reading. I fear we shall be deprived of the opportunity of discussing the grant of £50,000. We have done a great deal to get the Bill through so far, and I would suggest that the Third Reading stage should be held over.

COLONEL NOLAN: No, no; pass the Bill.

MR. STOREY: If my hon. Friend presses the Bill, he will meet with no small opposition. What I suggest to the Government is to hang this Bill as it were between heaven and earth until he sees whether the House will or will not grant the £50,000, which is necessary for the purposes of the Bill.

*MR. W. H. SMITH: I think the hon. Gentleman has given abundant reasons why the House should now read the Bill a third time. We have been discussing the Bill for three hours; he and his friends have made their protest before the public and before the world against the Bill, and nothing more could be said even if we had a Debate on the Third Reading. It is obvious that it would be a useless expenditure of public time were we to postpone this Bill, which is to go to another place, and to be dealt with there according to the Standing Orders. The hon. Gentleman said they will not have an opportunity of discussing the Money Bill. If the Government bring in that Money Bill this Session there will be abundant opportunity for discussing it on its several stages, or if we bring it in next Session there will also be ample opportunity to discuss the application of the £50,000. Under these circumstances I think I shall carry with me the great majority of even the hon. Members who have supported the hon. Gentleman during the last three hours, in desiring that the Bill should be read a third time, and without further Debate, and that it should go to another place.

SIR G. CAMPBELL: Sir, the Motion before the House is not for the Third Reading, but for the suspension of the Standing Orders. In the case of this most extraordinary and dangerous Bill, I do not think the Government should ask it, and I oppose this course most strongly.

MR. PHILIPPS: The right hon. Gentleman withdrew the Bill, and we were justified in thinking that it would not be brought in again until next Session, but he has brought it in one-half a private Bill and the other half a public Bill.

*MR. A. J. BALFOUR: At the time I withdrew the Bill I explained the course which I intended to take.

MR. PHILIPPS: I am sorry the newspapers did not think the right hon. Gentleman's observations worthy to be reprinted. Our opposition to the Bill has at all events been justified, for out of the Amendments we proposed the Government have accepted one. I oppose this Motion, and I shall vote against it.

The House divided:—Ayes 216; Noes 65.—(Div. List, No. 293.)

INTERMEDIATE EDUCATION (WALES).

Motion made, and Question proposed,

"That the Order made upon the 19th day of June last, for presenting to Her Majesty an humble Address that she would be graciously pleased to give directions that there should be laid before this House a Return relative to Intermediate Education (Wales), be read, and discharged."—(*Mr. James William Lowther.*)

Motion, by leave, withdrawn.

VACCINATION ACTS (PERSONS IMPRISONED, &c.).

Address for

"Return showing the number of persons who have been imprisoned or fined for non-compliance with the provisions of the Acts relating to the Vaccination of Children, distinguishing imprisonments and fines; the length of imprisonment undergone by such persons; the number of times any person has been imprisoned more than once; and of the number and amount of fines paid by any person who has been fined more than once for the above-mentioned offence since the 31st day of July, 1879 (in continuation of Parliamentary Paper, No. 289, of Session 1881)."

PUBLIC PETITIONS COMMITTEE.

Seventeenth Report brought up, and read; to lie upon the Table, and to be printed.

EMIGRATION AND IMMIGRATION (FOREIGNERS)

Report, with Minutes of Evidence, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 311.]

DIVISIONS OF THE HOUSE.

Return ordered—

"Of the Number of Divisions of the House in the Session of 1889; stating the subject of the Division, and the number of Members in the majority and minority; Tellers included; also the aggregate number in the House on each Division; distinguishing the Divisions on Public Business from Private; and also the number of Divisions before and after midnight (in continuation of Parliamentary Paper, No. 0,141, of Session 1888)."—(*Sir Charles Forster.*)

PUBLIC PETITIONS.

Return ordered—

"Of the number of Public Petitions presented and printed in the Session of 1889; with the total number of Signatures in that year (in continuation of Parliamentary Paper, No. 0,144, of Session 1888)."—(*Sir Charles Forster.*)

SELECT COMMITTEES.

Return, ordered—

"Of the number of Select Committees appointed in the Session of 1889, including the Standing Committees and the Court of Referees; the subjects of inquiry; the names of the Members appointed to serve on each, and of the Chairman of each; the number of days each Committee met, and the number of days each Member attended; the total expense of the attendance of Witnesses at each Select Committee, and the name of the Member who moved for such Committee; also, the total number of Members who served on Select Committees (in continuation of Parliamentary Paper, No. 0,140, of Session 1888)."—(*Sir Charles Forster.*)

SITTINGS OF THE HOUSE.

Return ordered—

"Of the number of days on which the House sat in the Session of 1889, stating, for each day the date of the month, and day of the week, the hour of the meeting, and the hour of adjournment; and the total number of hours occupied in the Sittings of the House, and the average time; and showing the number of hours on which the House sat each day, and the number of hours after midnight; and the number of entries in each day's Votes and Proceedings (in continuation of Parliamentary Paper, No. ,142, of Session 1888)."—(*Sir Charles Forster.*)

PUBLIC BILLS.

Return ordered—

"Of the number of Public Bills, distinguishing Government from other Bills, introduced into this House, or brought from the House of Lords, during the Session of 1889; showing the number which received the Royal Assent; the number which were passed by this House but not by the House of Lords; the number passed by the House of Lords but not by this House; and distinguishing the stages at which such Bills as did not receive the Royal Assent were dropped or postponed and rejected in either House of Parliament (in continuation of Parliamentary Paper, No. 0,143, of Session 1888)."—(*Sir Charles Forster.*)

MESSAGE FROM THE LORDS.

That they agree to certain of the Amendments made by this House to the Lunacy Acts Amendment Bill [Lords], with Amendments, and with a consequential Amendment to the Bill, to which they desire the concurrence of this House; and disagree to certain other of the said Amendments, for which they assign their Reasons.

QUESTIONS.

ADULTERATED LARD.

SIR RICHARD PAGET (Wells): I beg to ask the President of the Board of Trade if his attention has been called to a recent publication by the Agricultural Department (No. 24, of 1889), in which quotations are made from the Official Report of the Agricultural Department of the United States to the following effect—

"That the total Annual Exports of Lard from the United States are about 320,000,000 lbs., of which about 40 per cent are "Compound or Refined" lard; that no less than 93,000,000 lbs. were sent in 1888 from the United States to this Country; that amongst the adulterants used in compound or refined lard, 'dead hog grease, or dead hog stearine is one of the most frequently mentioned;' that 'the term dead hog grease is used to indicate the oil or lard obtained from animals which die of disease, or are smothered in transportation or die on the way to the slaughterhouses.'"

Whether, in view of these alarming official statements, and the possible danger to health from the consumption of an article of food thus adulterated, Her Majesty's Government will consider the propriety of prohibiting the introduction of the spurious substance designated "Compound or Refined Lard;" and, whether, in the event of the importation of artificial lard being still permitted, he will direct that (following the analogy of the entry of margarine) a separate entry shall be made in the Monthly Returns of the Board of Trade

distinguishing genuine lard from the artificial compound?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): Her Majesty's Government are not prepared to prohibit all adulterations of lard, as it would require a large and expensive staff to test all imports, and there is no evidence that the bulk of such lard is other than harmless. Whilst agreeing with the accuracy of the statements quoted by the hon. Baronet, I think a closer perusal of the Report shows that the ingredients of these compounds are not so deleterious as is supposed, consisting in great measure of cotton seed oil. I learn from the Customs that they are prepared, on obtaining the sanction of the Treasury, to assign a separate heading for lardine in the import accounts of next year.

NAVAL CHIEF ENGINEERS.

SIR JOHN COLOMB (Tower Hamlets): I beg to ask the First Lord of the Admiralty what is the average amount of annual pay and allowances, if any, of the Engineer Officers in chief charge of the engines and machinery of battleships taking part in the Naval Manœuvres; and, what is the average amount of annual pay and allowances, if any, of the Chief Accountant Officers in charge of the books and accounts of those ships?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The average annual pay and allowances of the chief engineers in charge of the machinery on the battleships engaged in the manœuvres is £488, and that of the accountant officers £475.

ST. KATHARINE'S HOSPITAL.

MR. FENWICK (Northumberland), (on behalf of Mr. CREMER (Shoreditch): I beg to ask the hon. Member for Penrith if, as the representative of the Charity Commissioners, he can state whether the vacancy caused by the decease of the late Master of St. Katharine's Hospital has been filled up; and, if so, what duties the new Master has to perform; what salaries and emoluments the new Master is to receive; and, whether the Charity Commissioners are taking any steps to reform the management of the hospital, and to utilise for educational and other useful purposes its increasing revenues?

*MR. J. W. LOWTHER (Penrith): The Charity Commissioners are informed by the chapter clerk of St. Katharine's Hospital that the vacancy caused by the decease of the late Master has been filled up. The duties attaching to the office are those prescribed in the rules of the hospital, which were laid upon the Table of the House in the month of June last. The salary and emoluments of the new Master are the same as those of his predecessor. As the hon. Member was informed on the last occasion when the matter was discussed in the House, the Charity Commissioners have no power to take any steps to reform the management of the charity except upon an application from the majority of the governing body, and such application has not yet been received.

CYPRUS.

MR. FENWICK (on behalf of Mr. CREMER): I beg to ask the Under Secretary of State for the Colonies whether a reply has been sent to a memorial from the Archbishop of Cyprus and other members of a deputation now in this country, dated 19th July, respecting reforms in the administration of Cyprus; and, if so, whether he will inform the House as to the purport of that reply; whether Her Majesty's Government is prepared to act on the suggestion of the High Commissioner as regards the conversion of the tribute to Turkey, by which it is expected that considerable economies may be effected in the annual payments charged on the Cypriote or the English taxpayers; whether the recommendations of Her Majesty's Treasury, transmitted last year to the High Commissioner for Cyprus, as regards reductions in the Civil Service, have been acted upon; and, whether the Government will give favourable consideration to the appeal of the Cypriote deputation for utilisation and encouragement of the agricultural resources of the island, and for lessening the additional burdens laid on the inhabitants since the occupation of their island for Imperial purposes?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): No definite reply has yet been sent to the Cyprus deputation, as their repre-

sentations are still the subject of discussion between them and the Secretary of State, with whom they are to have a further interview on the 15th inst. Her Majesty's Government are anxious to commute the tribute, and have the subject under consideration; but the matter, being an international one, is of much delicacy, and presents many serious difficulties. Economies were effected this year in the Estimates of the current year to the extent of £1,075, and it is contemplated that further economies will be effected as time goes on, with a view to carrying out the wishes of the Treasury. As regards the last paragraph of the question, Her Majesty's Government are giving their best consideration to the suggestions of the deputation on all subjects affecting the welfare of the island. Papers have been laid on the Table, and will be distributed as soon as possible, dealing with the different questions raised by the Memorial; but with reference to the concluding words of the question, I may state that since the British occupation there has been a large remission of taxation.

GOVERNMENT CONTRACTORS AND WORKMEN.

MR. FENWICK (on behalf of Mr. CREMER): I beg to ask the First Commissioner of Works whether there are any workmen employed at the Houses of Parliament, or other Government works, who are paid by Messrs. Brass, the Government contractors, 4¼d. per hour; whether such workmen are frequently engaged in cleaning and painting lofty parts of the Houses of Parliament; whether the contractors are allowed 6d. per hour for such men, and, if so, why they deduct 1¾d. per hour; and whether the Government have come to any decision as to the appointment of a Committee to consider the desirability of engaging directly through their Clerks of Works all workmen employed at Government Offices, so that the amount voted by Parliament may be received without any deduction?

A LORD OF THE TREASURY (Sir H. MAXWELL, Wigton): There are only four men at the Houses of Parliament whose wages are as low as 4¼d. per hour, and very few elsewhere. Such workmen are not frequently, only occasionally, engaged in cleaning lofty parts of the Houses of Parliament, and that at times when otherwise they would have to be discharged. There is no danger in the work. The contractors are allowed for these men 6d., less 16 per cent, or 5 1-25d. per hour. The present contract does not expire until March 31, 1891. The Government have undertaken before that date to fully consider what modifications it may be possible or desirable to make in the present system governing the employment of workmen in the public buildings, and the matter is now engaging attention. If it should be found that the assistance of a Committee of the House of Commons would be desirable in the investigation of the question, the Government will ask the House to appoint one in the course of next Session. But in the present position of the inquiry it is impossible to say whether it will be necessary to invite the assistance of a Committee of the House.

RAILWAY AND CANAL TRAFFIC ACT.

SIR R. PAGET: I beg to ask the President of the Board of Trade whether he will be good enough to state to the House the manner in which the Board of Trade propose to proceed to consider the objections of traders, farmers, and others with regard to railway rates, charges, and classification under the Railway and Canal Traffic Act, 1888; whether the hearing of parties will be conducted in public; by whom the hearing will be conducted; and when they will commence; whether it is the intention that parties may be heard at their own discretion either in person or by counsel; and whether it is proposed to deal, in the first instance, with Imperial questions involving matters of principle such as terminals and short-distance clauses; or to deal with groups and objections submitted by special classes of farmers, traders, or to deal separately with the classification schedule submitted by each Railway Company?

*SIR M. HICKS BEACH: A Circular explaining the procedure to be adopted at the hearing of objections, of which I will hand a Copy to the hon. Baronet, will be sent to each Railway Company and each objector, and will be given the utmost publicity. The hearings will be conducted in public by the principal permanent officers of the Department, presided over by Lord Balfour of Burleigh, the Parliamentary Secretary

to the Board of Trade, who will have such expert advice as may be necessary. Parties will be heard either by themselves or by representatives, as they may deem desirable. It is proposed, in the first instance, to deal with questions involving matters of principle, commencing with terminals. Further details the hon. Baronet will find in the Circular.

SIR R. PAGET: Will the right hon. Gentleman say when the parties will be heard?

*SIR M. HICKS BEACH: On October 15.

CUSTOM OFFICERS, LIVERPOOL.

MR. J. McCARTHY (Londonderry): I beg to ask the Secretary to the Treasury whether it is a fact that the out-door officers of Customs at Liverpool petitioned the Board of Customs on June 13 last relative to certain travelling allowances of which they have lately been deprived; and if so, whether the officers have not yet received an answer to their petition; whether the examining officers of Customs at Liverpool petitioned the Treasury upon the same subject on June 18 last; and whether the decision of the Treasury has been made known to the officers interested; and if not, whether he will explain the cause of the delay?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The two Petitions referred to are in the hands of the Board of Customs. The question raised by the examining officers, whose Petition was sent to the Board in the first instance, is of wider scope than that to which the Petition of the out-door officers relates. The subject of both is somewhat intricate and involves an important principle. Moreover, as some of the points have been directly raised before the Royal Commission on Civil Establishments, the Board had necessarily to await the Report of that Commission before taking action in the matter. Careful consideration is now being given to the subject, and a decision may shortly be expected.

FEVER AT GIBRALTAR.

SIR W. BARTTELOT (Sussex, N.W.) on behalf of Sir JOHN KENNAWAY (Honiton): I beg to ask the Secretary of State for War whether it is a fact that in 11 months, in four adjoining rooms on the ground floor in the Spanish Pavilion of Gibraltar, there have been four cases of fever, two of which have been serious cases of enteric; and whether he can give assurance that the unsanitary state of the building will be dealt with at once?

*THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): There have been three cases of fever, of which two were enteric, in four adjoining rooms on the ground floor of the Spanish Pavilion during the last 11 months. The rooms of the lower floor have been closed, and steps have been taken for dealing at once with the sanitary defects of the Spanish Pavilion, if any remain after the overhaul it recently underwent. There has been no case of fever since June.

LOCAL TAXATION LICENCES.

COLONEL ANSTRUTHER (Woodbridge): I beg to ask the President of the Local Government Board whether it is the case, that the amount of annual licences payable in January by any individual be paid into the nearest Post Office, and the licences received from the Postmaster, that the amount so paid is transmitted to the General Post Office in London, and thus lost to the country in which the money was paid, whereas, should the money be paid into a county town to the collector of Inland Revenue, that then the county would receive the benefit?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The value of licences taken out at Post Offices is paid over eventually to the credit of the account of the Inland Revenue at the Bank of England, and the Inland Revenue Department, in the Quarterly Return rendered to the Local Government Board, appropriates the proceeds to the credit of the administrative county in which such Post Offices are located.

EDINBURGH POST OFFICE.

MR. WALLACE (Edinburgh): I beg to ask the Postmaster General whether he has received a Memorial, dated 22nd June, 1888, and a further Memorial, dated 1st July, 1889, from certain Lower Division Clerks in the Edinburgh Post Office on the subject of temporary employment as Surveyor's

Clerks; and, if so, whether he can say about what date he may be able to state to the Memorialists if their grievance can be remedied?

*THE POSTMASTER GENERAL (Mr. RAIKES Cambridge University): The Memorials referred to by the hon. Member were duly received. I should like to explain that lists are made out periodically of officers who are anxious to be employed in giving temporary assistance to surveyors, and when such assistance is needed the officers whose names are on the lists are, provided they are considered fully qualified, selected for the purpose. After the receipt of the first Memorial the officers who signed it were informed to this effect, and that when opportunities occurred they might apply, but many of them omitted to do so when last invited. A new list for Edinburgh will be made this autumn, and the Memorialists' qualifications will then be carefully considered.

TURIN STREET BOARD SCHOOL.

MR. PICKERSGILL (Bethnal Green): I beg to ask the Secretary of State for the Home Department by whose authority the Turin Street Board School was occupied as a temporary barrack by the police upon the occasion of the visit of the Chief Secretary for Ireland to Bethnal Green on the 30th ultimo?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am informed by the Commissioner of Police that the school buildings were not occupied by the police; but, the permission of the caretaker of the school having been first obtained, some police were placed in the yard so as to be out of sight and not to attract a crowd.

MR. PICKERSGILL: Is the right hon. Gentleman aware that at the last meeting of the London School Board the statement was made by a responsible officer that authority had not been given?

MR. MATTHEWS: I am not aware of that fact.

LEEDS POST OFFICE.

MR. BRADLAUGH (Northampton): I beg to ask the Postmaster General whether he is aware the maximum wages, allowances, and overtime paid to stampers, town sorters, station messengers, and other out-door *employés* at Leeds are, in each case, less than those paid at Manchester, Birmingham, Glasgow, Edinburgh, Dublin, and Liverpool; and if he will consider whether such inequality of payment should continue for similar services?

*MR. RAIKES: Yes, Sir; I am aware of the fact stated by the hon. Member. The rates of wages vary in different localities, as they bear some relation to the size and importance of the various offices. The office at Leeds does not belong to the same category as any of the six offices the hon. Member mentions, and I fear I cannot admit any sufficient reason for altering the present organisation.

LOCAL GOVERNMENT ACT—ALTERATION OF BOROUGH BOUNDARIES.

MR. WOOTTON ISAACSON (Tower Hamlets): I beg to ask the President of the Local Government Board whether his attention has been called to the fact that notwithstanding the provisions of "The Local Government Act, 1888," requiring the Local Government Board to hold a local inquiry whenever any representation is made to them that it is desirable to alter the boundary of any borough, several provincial Corporations have, during the present Session, introduced into Parliament Bills for the extension of their boundaries without any previous local inquiry, thereby not only imposing considerable expense on the ratepayers by a more costly mode of proceeding in the first instance than by a local inquiry, but also inflicting serious expense on landowners and others opposed to the inclusion of their property within the borough boundary, and tending, by the serious expense of appearing before a Parliamentary Committee, to deprive small landowners of the opportunity of being heard in opposition to the proposed extension; and whether, since considerable extensions of boundaries sought for by provincial Corporations have been refused by Parliamentary Committees on the ground that the land in question was of a rural character and not fit or ripe to be included within the limits of the proposed extension, facts which could have been tested on the spot at a very light expense by a local inquiry, and that landowners who succeed in opposing the inclusion of their lands within the proposed ex-

tension have great difficulty in recovering the costs to which they have been put, he would consider if any and what further steps could be taken to give effect to the provisions of "The Local Government Act, 1888;" and to prevent the needless expenditure of time and money incurred by imposing upon a Parliamentary Committee the consideration of a question capable of being dealt with more satisfactorily and economically by a local inquiry.

MR. RITCHIE: It is the fact that in the case of certain municipal boroughs during the present Session Local Bills have been introduced for the extension of the borough boundaries without any previous local inquiry under the Local Government Act. These several Bills have been referred to the Select Committee on Police and Sanitary Regulations Bills. The views of that Committee on the general question of the extension of boroughs by Local Bills are stated in the Report on the Grimsby Extension and Improvement Bill, presented to the House on March 29th last. In that Report the Committee stated, amongst other grounds for their conclusion, that the extension of the borough should be granted; that the petition for the Bill was lodged in Parliament before the County Council came into existence; that although the Act creating the County Councils had passed it did not come into active operation until after the time that the promoters took steps to obtain the Local Act; and that if they had been guided solely by the words of Section 54 of the Local Government Act, and had not come to Parliament, they, in all probability, would have had a delay of 12 months before anything could have been done. The Committee were also impressed with the undoubted fact that the promoters had already incurred a large proportion of the total expense of obtaining the Bill, and that the whole of that expenditure would have been thrown away if the Committee had declined to entertain the Preamble. As regards the second paragraph of the question, in all cases where an application is made to the Local Government Board in pursuance of the Local Government Act for a provisional order for an extension of a borough boundary, the Board will direct the necessary local inquiry, unless they are clearly of opinon, upon the facts submitted to them, that the application should not be proceeded with. In any case hereafter in which it is proposed to obtain an extension of the boundary of a borough by a Local Bill instead of by application for a Provisional Order under the Local Government Act, it will be for Parliament to determine what course they will adopt with reference to the measure.

LADY VISITORS TO PRISONS.

MR. PICKERSGILL: I beg to ask the Secretary of State for the Home Department if he will state the names of the prisons in England and Wales to which ladies have been appointed as voluntary visitors; and what is the number of prisons to which such appointments have for the first time been made since September, 1887?

MR. MATTHEWS: There are 26 prisons in all to which ladies have been appointed as visitors. I shall be happy to show the hon. Member the list. Appointments have been made to two of these prisons—Devizes and Durham—since September, 1887.

MOVABLE DWELLINGS.

MR. STEPHENS (Hornsey): I beg to ask the President of the Local Government Board whether he is in a position to give an approximate estimate of the number of persons living permanently in movable dwellings?

*MR. RITCHIE: I am unable to give an approximate estimate of the number of persons living permanently in movable dwellings. I may mention, however, that the number of persons enumerated as sleeping in caravans and tents, and in the open air on April 1, 1881, the date of the last census, was as follows:—Males, 4,668; females, 3,901—making a total of 8,569.

MR. STEPHENS: I beg to ask the President of the Local Government Board whether the powers under Section 9 of "The Housing of the Working Classes Act, 1885," over tents, vans, sheds, and other similar structures, for purposes of public health, have been made use of by Sanitary Authorities; whether any, and, if so, how many Sanitary Authorities have made bye-laws under Sub-section (2) of Section 9 of "The Housing of the Working Classes

Act, 1885," for promoting cleanliness in, and the habitable condition of tents, vans, sheds, and similar structures, used for human habitation, and for preventing the spread of infectious disease by the persons inhabiting the same, and generally for the prevention of nuisances in connection with the same. And whether the Local Government Board have taken steps by circular or otherwise to draw the attention of Sanitary Authorities to the extensive powers at present possessed by them, under Section 9 of "The Housing of the Working Classes Act, 1885," with regard to tents, vans, sheds, and other similar structures?

*MR. RITCHIE: The Local Government Board, after the passing of "The Housing of the Working Classes Act, 1885," brought specially under the attention of the several Urban and Rural Sanitary Authorities the provisions of Section 9 of that Act as regards the regulation of tents, vans, sheds, and similar structures used for human habitation. With regard to Sub-section 1 of that section, the Board have no information as to the extent to which Local Authorities have availed themselves of their powers under the sub-section. With respect to Sub-section 2, no bye-laws under that sub-section have been confirmed by the Board. In three instances only have bye-laws been proposed by Urban and Rural Sanitary Authorities, and these are now under consideration.

MR. STEPHENS: I beg to ask the Vice President of the Committee of Council of Education whether it has been found practicable to enforce the school attendance of children travelling with canal boats in the district to which the canal boat is registered as belonging, according to the requirements of the "Canal Boats Act, 1877;" whether, owing to difficulties connected with the enforcement of the provisions of the "Canal Boats Act, 1877," with regard to the elementary education of children belonging to canal boats, attempts had been made, apart from the special provisions of the "Canal Boats Act, 1877," to compel attendance at a school in the district in which the child for the time being may be; and whether such attempts have been protested against, and opposed by school managers and school teachers in the interests of the schools under their management?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): I have no information as to the last two paragraphs of the question; but Mr. Brydone's Report, which will be included in the forthcoming Blue Book, shows that a great deal has been done to carry out the "Canal Boats Act," and that its enforcement has in many cases reduced the number of children on board the boats, and there is reason to believe that the substitution of special bye laws in respect of such children, in lieu of those of the district in which they happen to be, as is proposed in the "Movable Dwellings Bill," would be of great service.

THE SESSIONS RELIEF ACT.

MR. SWETENHAM (Carnarvon): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the statement of Mr. Justice Hawkins, in charging the Grand Jury at Birmingham on Saturday last, that "The Sessions Relief Act, 1889," directs that, when prisoners have committed offences indictable for trial at Quarter Sessions, the witnesses are to be bound over to Quarter Sessions, unless the Justices, for "special reasons," otherwise direct; that the Act did not state what these special reasons were, and did not appear to apprehend the seriousness of a man lying in gaol three or four months at the expense of the county. In that division of Warwickshire there were no fewer than 17 prisoners awaiting their trial whose offences had been committed since the 28th of June, and who must wait in gaol until between the 2nd and 10th of October, when the next Sessions would be held; and whether, in order to prevent as far as possibe the recurrence of the cruelty of keeping prisoners awaiting their trial in the manner they are being kept in the division of Warwickshire referred to, and the expense to the county, he will issue a Circular to the Magistrates' Clerks of the Petty Sessional Divisions, stating that the near approach of the Assizes as compared with the Sessions affords a "special reason" for directing the witnesses to be bound over to appear at the Assizes?

MR. MATTHEWS: My attention had not been directed to the observations quoted by my hon. Friend until I saw his question. I should be exceed-

ing my proper functions if I issued to Magistrates' Clerks a Circular professing to give an authoritative construction of the Assizes Relief Act, 1889. It is for Justices to decide upon all the circumstances whether "special reasons" exist for sending any case to the Assizes, and I apprehend they would take into consideration, among other circumstances, the comparative proximity of the Assizes and Sessions.

H.M.S. *SULTAN.*

MR. ISAACSON: I beg to ask the First Lord of the Admiralty whether he has any further information as to the progress made in raising the *Sultan?*

LORD G. HAMILTON: No news has been received since July 28, when a preliminary trial was made by the salvors of their pumps.

SHORT SIGHT AND ELEMENTARY SCHOOLS.

DR. FARQUHARSON: I beg to ask the Vice President of the Committee of Council on Education whether he has yet received any reports from his Inspectors regarding the alleged increase of short sight in the children attending public elementary schools?

*SIR W. HART DYKE: As the Inspectors have no previously ascertained *data* upon which to form a comparative judgment upon the point, a considerable time would necessarily elapse before they could be expected to give an opinion; but the matter has not been lost sight of, and I hope it may be possible to secure some reliable information in connection with it.

GUNS IN BARBETTE.

COLONEL NOLAN (Galway): I beg to ask the First Lord of the Admiralty what proportion of first-class ironclads have guns mounted in barbette, and if these would be disabled if hit at the hole and within a few feet of the muzzle by shot of 4·7 guns when fired with the new powders; if the 4·7 guns can fire 10 shots a minute?

LORD G. HAMILTON: Six of the 19 first-class ironclads have their main armament mounted in barbette. The chases of these guns are in common with guns placed in turrets exposed to injury by shot. As to the probable effect of a shot from a 4·7 gun on the chase near the muzzle, I must refer the hon. and gallant Member to the answer to a similar question put by him to my right hon. Friend the Secretary of State for War on Tuesday. It has not been found practicable to give the chase of these guns greater protection, but as they will usually be pointed towards the enemy they will present a comparatively small target.

THE CALEDONIAN CANAL.

MR. FINLAY (Inverness, &c.): I beg to ask the Lord Advocate whether the attention of the Government has been drawn to the present condition of the Caledonian Canal, and especially to the fact that traffic is much impeded owing to the state of Loch Oich; whether inquiries have been made as to the works necessary to remedy the present position of affairs; and whether the Government will consider the propriety of taking measures, in co-operation with the Commissioners with a view to having the required works executed?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): As regards the present condition of the Caledonian Canal, the Commissioners have, within the last two years, undertaken the renewal of the lock gates, in accordance with a special Report by their Engineer Superintendent, which is appended to the annual Report recently presented to Parliament. The estimated cost of the work was £20,000, and Parliament has passed a vote of £5,000 as the first contribution towards this outlay. Owing to the severe drought this summer, the traffic on Loch Oich is much impeded, and this subject is under consideration.

VENEZUELA.

MR. WATT (Glasgow, Camlachie): I beg to ask the Under Secretary of State for Foreign Affairs whether the Government have received information that the vessel of a British subject, named Philip, of Trinidad, was chased by a Venezuelan revenue cutter, who threatened to shoot him, and made off with his boat and cargo, leaving him in a destitute condition on the uninhabited island of Patos; whether a Government official, sent to the Bocas to inquire into the facts, fully corroborated Philip's statements; and whether the Government have taken any steps to obtain from Venezuela redress for this latest outrage?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): No information of such a case having occurred has reached Her Majesty's Government.

STATEMENTS BY PRISONERS.

MR. SWETENHAM (Carnarvon, &c.): I beg to ask the Secretary of State for the Home Department whether, in view of the divergent practice of Judges in allowing or disallowing a prisoner, who is defended by counsel, to make a statement to the jury in a capital or lesser case, some allowing it only to be made before counsel's address for the defence, and some, as in a recent case, after a speech by counsel and evidence called for the defence, and some disallowing a written statement to be read, he will confer with the Lord Chancellor as to the desirability either of calling a meeting of Judges to decide upon a uniformity of practice, or of bringing in a Bill next Session to extend the practice prescribed by the Criminal Law Amendment Act to all indictable offences?

MR. MATTHEWS: Her Majesty's Government have both in this Session and the last introduced a Bill which would remedy the anomalies pointed out by my hon. and learned Friend, and, although various circumstances have delayed it so far, I hope the next Session it may be passed into law.

IRELAND—BOYCOTTING—CASE OF MELLON AND DOYLE.

MR. WILLIAM REDMOND (Fermanagh, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the case of John J. Mellon, Wm. P. Doyle, and Gregory Kavanagh, who were arrested in Gorey, at 8 o'clock on the morning of the 12th July, on the charge of boycotting, and detained in custody till 8 o'clock p.m. when they were brought before a Magistrate, who remanded them, accepting bail for their appearance; whether he is aware that, although the Petty Sessions clerk informed the Magistrate (Colonel Miller) that the bail bonds could be prepared by half-past 10 o'clock a.m. on the 13th, on the application of the police, Colonel Miller fixed 2 o'clock the next day as the time for taking the recognizances, and that the solicitors for the prisoners, after having been three times refused an interview with them, was at length allowed to see the prisoners separately in presence of Head Constable M'Cormick; and whether he will give directions that prisoners detained in any Constabulary barracks will be permitted in future to have private interviews with their solicitor; whether it is a fact that these three prisoners, in spite of the remonstrance of a constable, were ordered by the head constable to be detained on the night of the 12th July in a cell about five feet by eight feet, which was in a disgustingly filthy condition, drunken prisoners having been previously confined in it; and whether steps will be taken to guard against the danger to prisoners' health likely to arise from confinement in such dens?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I understood that as the 13th July was a fair day, 2 o'clock was fixed as the most convenient hour for taking the recognisances. The police did refuse to allow Mr. Scott, a solicitor, to interview the prisoners without a District Inspector's authority. Immediately upon Mr. Scott applying to the District Inspector, he gave him permission to see the prisoners, but in the presence of the police, as the men were in custody, and had not yet been brought before a Magistrate. It is not the case that any constable remonstrated with the head constable as is alleged in the question; nor was the lock-up in a dirty state when the prisoners were placed in it.

MR. W. REDMOND: Might I ask the right hon. Gentleman whether it is not a fact that the charge made against these men has since been withdrawn?

MR. A. J. BALFOUR: I cannot answer that question without notice.

POSTAL FACILITIES IN IRELAND.

MR. P. J. O'BRIEN (Tipperary, N.): I beg to ask the Postmaster General whether he, some time ago, received a Memorial, largely and influentially signed, from a number of ratepayers resident in the parish of Kilruane, in the postal district of Nenagh, County Tipperary, and also from a number of merchants and traders in the town of Nenagh, praying that a post office for the receiving and delivery of letters might be established at Kilruane; and, whether, having regard to the fact (as set forth in the Memorial)

that this large and important district, comprising in its area 13 townlands, is several miles from the nearest post office, whereby the residents are subject to very great inconvenience, he will see his way to have the want supplied?

*Mr. RAIKES: Yes, Sir; the Memorial to which the hon. Member refers received my careful consideration; but I was unable to sanction the establishment of a post office at Kilruane, partly on account of the additional expense involved, and partly because the arrangement would have rendered necessary a change in the order of the present post from Nenagh, and excluded certain places now within that post. The letters which would be left to be called for at a post office at Kilruane only average two or three a week; and I regret that the circumstances do not admit of the Memorialists' wishes being complied with.

COST OF DEFENDING PRISONERS.

Mr. O'DOHERTY (Donegal, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the provisions of the Criminal Law and Procedure (Ireland) Act, for payment out of moneys provided by Parliament for the defence of persons charged whose trial has been removed, have been at all put into operation, and to what extent; whether any direction under the 14th section of that Act have been given by the Lord Lieutenant with respect to persons charged and their counsel; whether the rules made under the 15th section have been construed by Crown Solicitors as tying them down to the payment of travelling expenses only; and, whether, having regard to the trial of a score of poor Donegal peasants in Queen's County, he will see that proper directions for the payment of the cost of the defence are given at once?

Mr. A. J. BALFOUR: The provisions of the Criminal Law and Procedure (Ireland) Act, referred to in the first paragraph of the question, have been put into operation. The directions referred to in the second paragraph have been given. Crown Solicitors have not construed the rules made under the 15th section as limiting payments to travelling expenses only. In addition to those payments an allowance, according to a scale approved by the Treasury, is made for maintenance and loss of time to traversers and their witnesses. The necessary directions have already been given for the payment, according to the fixed scale, of such of the expenses in connection with the prosecution mentioned as are authorised under the Act.

Mr. SEXTON (Belfast, W.): Are we to understand that in the case of these poor men who were arrested last February, whose families have been impoverished by their long imprisonment, and who are to be kept in prison till next October, the trial has been removed to the centre of Ireland, a long distance away, and the Government are not going to pay the expenses of their solicitors?

Mr. A. J. BALFOUR: I have done my best to answer the question on the Paper. If the right hon. Gentleman will put a question on the Paper, I will do my best to find out what the practice is.

EVICTION AT ABBEYFEALE.

Mr. WILLIAM ABRAHAM (Limerick, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been called to the circumstances attending the eviction of William Harnett (aged 87) on Friday last, near Abbeyfeale, County Limerick, on the estate of Mr. James Esmonde, J.P., when Dr. Bolster, who attended at the request of the authorities, declared Harnett's life in danger, and ordered that he should not be removed, and the Rev. William Casey, P.P., who was present for the purpose of administering the last sacrament to Harnett, was twice forcibly prevented by order of District Inspector Rice; and will District Inspector Rice be directed not to prevent a clergyman having access to one of his parishioners under similar circumstances?

Mr. A. J. BALFOUR: The Rev. William Casey twice refused to go outside the police cordon along with the rest of the people assembled, unless removed by force. When removed he subsequently tried to force his way through the cordon. He was prevented, as there was no necessity for his presence. Harnett was not removed, his family were, but at once re-admitted as caretakers. Every consideration was shown to the tenant and his family in the carrying

out of the eviction, and Mrs. Harnett thanked the District Inspector for the kindness shown.

MR. ABRAHAM: May I ask the right hon. Gentleman if his attention has been called to a letter published by Father Casey, in which the rev. gentleman states that the daughter called him to administer the sacrament to her dying parent, that he was again pushed back by Mr. Wright, the Inspector, and when the Inspector seem disposed by his entreaties to allow him, a policeman with fixed bayonet rushed up and reminded him of the orders that had been given? Will the right hon. Gentleman grant an inquiry so that Father Casey can give evidence?

MR. A. J. BALFOUR: No, Sir; I see no reason for an inquiry.

MR. MAC NEILL (Donegal, S.): Had the right hon. Gentleman this case before him when he declared that the relations between the constabulary and the people had improved?

*MR. SPEAKER: Order, order!

ACCOMMODATION IN VOLUNTARY SCHOOLS.

*MR. STANLEY LEIGHTON (Shropshire, Oswestry): I beg to ask the Vice President of the Committee of Council on Education, if he will state the number and the names of the Voluntary Schools, where, as at Luton, the accommodation provided has been calculated on the 10 square feet basis?

*SIR W. HART DYKE: The accommodation of the voluntary schools in Luton continues to be calculated for the purposes of annual grant at eight square feet. Instances of the wider computation of ten feet where the question has arisen of the accommodation to be supplied in order to cover a deficiency in a district are common, and have recently occurred at Nottingham, Swindon, and Liversedge. If I were to give an exhaustive list I should have to go back to the earliest years after the passing of the Act of 1870.

WESTERN AUSTRALIA.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.): I beg to ask the Under Secretary of State for the Colonies whether it has been brought to the notice of the Secretary of State that even the settlers in Western Australia are by no means unanimous in accepting the proposed plan of responsible government; and, whether, on the contrary, he has received representations from the Albany district, in the south-west of the Colony, objecting to the proposed plan.

BARON H. DE WORMS: A Petition, which is from the Albany district, was brought under the notice of Parliament in the Command Paper, c. 5,743, p. 31. It was signed by 90 persons. A careful consideration of it did not lead Her Majesty's Government to modify their opinion that the people of Western Australia and of the other Australian colonies are right in advising the early establishment of responsible government in Western Australia.

MR. LEIGHTON: I beg to ask the First Lord of the Treasury whether he can lay before the House any further communications from the Governor of Western Australia with reference to the granting of a responsible Constitution to the colony; and whether he has received any further communications on the subject from the other Australian colonies?

*MR. W. H. SMITH: A telegram from the Government of South Australia to its Agent-General, asking him to impress on the Imperial Government the desirability of passing this Session the Western Australia Bill, has been received, and to-day a further telegram has come in from Lord Carrington, communicating an address from the members of the Legislative Assembly, New South Wales, relative to the passing of the Bill. The telegram is too long to read now, but it has been sent to the Press.

OVERHEAD WIRES AND SPIKED WIRE FENCES.

SIR GEORGE CAMPBELL: I beg to ask the Secretary of State for the Home Department whether Her Majesty's Government intend to propose legislation on the subject of overhead wires, or whether the Local Authorities of urban municipalities and of counties (including the County of London) can deal with these matters under the power of making bye-laws which the Legislature has conferred on them? I beg also to ask the right hon. Gentleman if his attention has been called to the growing practice of erecting spiked wire fences of a character dangerous to young and old along public roads and paths; and,

whether the Local Authorities can deal with such a matter by bye-laws?

*MR. RITCHIE: Perhaps the hon. Gentleman will permit me to answer both these questions. In the case of some boroughs local Acts have been passed which empower the authorities to make bye-laws on the subject of overhead wires. With the exception of these cases, Local Authorities are not enabled to make bye-laws on the subject. It is obvious that no legislation on this question can be proposed this Session, and I cannot make any statement as to what may be proposed in a future Session. My attention has not been called to the practice of erecting spiked wire fences of a character dangerous to young and old along public roads and paths, and the matter is not one with which Local Authorities are empowered to deal by bye-laws.

SIR GEORGE CAMPBELL: Is not the right hon. Gentleman aware of the provisions of the Municipal Corporations Act and the Local Government Act?

*MR. RITCHIE: I am aware of the provisions of those Acts, but I am not aware what good government has to do with spiked wires.

THE SCOTCH HERRING FISHERY.

MR. ANGUS SUTHERLAND (Sutherland): I beg to ask the Lord Advocate whether the attention of the Secretary for Scotland has been called to the evidence led before Sheriff-substitute Fraser, at Stornoway, on the 12th June last, in the prosecution, at the instance of the Fishery Board, against Mr. George Colville, fishcurer, Stornoway; whether it is the case, as reported in the newspapers of that date, that in delivering judgment in the case the Sheriff-substitute expressed himself as follows: —

"I conclude from the evidence led as to the impossibility of making a lot of barrels which will turn out to have the same exact capacity, that some of these 25 are even above the standard. That being so, I think it is clear that in this case Mr. Colville had no intention to contravene the law, or to do anything to cheat the foreign market. The object of these Statutes of George III. was to provide against cheating in point of size. It is clear Mr. Colville had no intention to do so. Those seized were some time exposed to the air and sun, and got affected. I think that may be held to account for the deficiency in most of them. That being so, it appears to me that the prosecutors acted rather sharply in forfeiting barrels which came so very near the standard. . . . I therefore feel, whatever my own opinion may be, I may probably be wrong, probably I am, but I am bound to follow the decision of the Supreme Court. If this case is appealed, the High Court may see fit to reverse it decision in the case of Loudon; but with all these matters before me, I am, therefore, bound to convict Mr. Colville of a contravention of the Statute; and in terms thereof I declare the barrels forfeited;"

and whether the Government intend to introduce a Bill to repeal those sections of the Statute 94 of 55 Geo. 3, which were enacted to meet conditions and requirements of the herring fishery in Scotland which no longer exist, and which impose on the fishcurers of Scotland antiquated restrictions that do not exist in England or Ireland, and which place them at a disadvantage in the foreign markets?

*MR. J. P. B. ROBERTSON: The Secretary for Scotland is acquainted with the facts of the case referred to. There is no reason to doubt that the quotation in the question is a correct statement of what Sheriff Fraser said, but owing to the short notice given by the hon. Member I have not been able to ascertain this for certain. I will, however, assume that it is so. The Government have under their consideration the provisions of the Statute referred, with the view of making a change in the law regulating the size of herring barrels, should it appear on further inquiry that such a change is necessary.

POSTMASTER OF ENNISKILLEN.

MR. WILLIAM REDMOND: I beg to ask the Postmaster General whether it is true, as stated, that a Mr. Haines, belonging to the Wolverhampton Post Office, has been appointed Postmaster of Enniskillen, which office has been vacant for some time past; how long has this gentleman been connected with the Department; and whether he possessed any qualifications for the position; whether there were numerous applicants for the vacancy from some of the most important Irish Post Offices, and whether a number of these applicants were well qualified, and were highly recommended by their respective superior officers for the appointment; whether an Englishman was appointed Postmaster of Ballymena when vacant some months ago, and whether applications for the position were received

from many qualified Irish Post Office officials; whether it is the custom to appoint Englishmen to such public offices in Ireland; and, whether Irishmen are eligible for such promotion in England; and when, if ever, such an appointment occurred?

*MR. RAIKES: It is the fact that Mr. Haines, who was recently in the Post Office Service at Wolverhampton, has been appointed to the Postmastership at Enniskillen. Mr. Haines has been connected with the Department for 23 years, and, in my judgment and that of his immediate superiors, was very highly qualified for the position to which he has been appointed. After very careful examination of the qualifications of all the candidates, he appeared to be distinctly more qualified than any of the others. The answer to the second and third paragraphs is in the affirmative. The hon. Member is, perhaps, not aware that officers in every branch of the Postal Service are eligible for Postmasterships, and applications are received from every part of the United Kingdom whenever a vacancy is notified. I do not know that my predecessors made it a rule to appoint Irishmen to Irish offices and Englishmen to English offices, and I think that, acting in accordance with the principle embodied in the existing practice, it is desirable to make appointments in either country of those servants who are best fitted for the position. I think it will be found that the countrymen of the hon. Member will have rather more to gain than to lose by such a practice.

MR. JORDAN (Clare, W.): Is the right hon. Gentleman aware that there is a considerable amount of discontent among all parties in Enniskillen at this appointment, and that an article condemning it has appeared in a strong Conservative journal, the *Fermanagh Times?*

MR. RAIKES: I am not aware of any local dissatisfaction except that expressed in the terms of the question. I should think that if the appointment has been criticised in the local Conservative journal, it is an indication that it has not been made on Party grounds.

MR. SEXTON: May I ask the right hon. Gentleman if in his time an Irish Postmaster has been appointed in Great Britain?

MR. RAIKES: I hope to hold office long enough to appoint more than one Irishman to positions in Great Britain.

MR. W. REDMOND: I may say that, in putting the question, I did not intend to insinuate that Mr. Haines was not qualified, but merely to raise the question of appointing English officials to places which Irish officials might reasonably expect to obtain.

COUNTY ELECTORS.

MR. THOMAS ELLIS (Merionethshire): I beg to ask the President of the Local Government Board whether it is the case that a Local Government elector who removes from a parish outside a municipal borough to a parish within a municipal borough, both parishes being within the boundaries of the same administrative county, is deprived of his qualification as a county elector under the provisions relating to successive occupation, in consequence of his not being qualified as a burgess of the borough, no provision being made in the Local Government Act or the County Electors Act for the preparation of separate lists of burgesses, and of county electors who may reside within a municipal borough; and whether it was the intention of the Government, in framing the Local Government Act and the County Electors Act, to impose such a deprivation upon persons so removing; and, if not, whether he will take steps to remove any misapprehension which may exist as to the state of the Law, and to secure to all persons duly qualified full opportunity of exercising their electoral rights?

*MR. RITCHIE: A person cannot vote at an election of County Councillors within a borough unless he is registered as a burgess of that borough. He can only be registered as a burgess of the borough if he has occupied during the whole 12 months immediately preceding the 15th of July qualifying premises within the borough. The successive occupation of such premises in the borough during this period will suffice, but it it is not enough that during part of the time he has occupied qualifying premises in the county and outside the borough. He need not have resided during the whole 12 months in the borough. It is sufficient if he has resided in the borough or within seven miles of it. It was not intended that a

person should vote at an election of County Councillors in a borough, unless he was registered as a burgess. Section 2 (4) of the Local Government Act expressly provides that the persons entitled to vote at the election of County Councillors shall be in a borough the burgesses enrolled in pursuance of the Municipal Corporations Act, 1882, and the Acts amending the same.

WESTMINSTER HALL.

MR. CAVENDISH BENTINCK (Whitehaven): I beg to ask the First Commissioner of Works whether, having regard to opinions expressed in this House and elsewhere, he will direct the stone parapet or bastion, lately erected by Mr. Pearson, R.A., at the south-west corner of Westminster Hall, to be removed; or, if not removed, to be lowered, so as to bring its upper horizontal moulding in a line with the upper cross bar of the iron gateway leading to St. Stephen's Cloisters, and thus restore the harmony of Sir C. Barry's design for the south end, which, if the south-west bastion be allowed to remain unaltered, is manifestly interfered with?

SIR H. MAXWELL: I understand that it is not the intention of the First Commissioner to undo any portion of the work carried out by Mr. Pearson in Westminster Hall, but I will take care that the First Commissioner's attention is called to the suggestion as to lowering the parapet, and he will no doubt consider it on his return. I have communicated with the architect, who replies as follows:—

"The stone parapet in south-west corner of Westminster Hall is as low as is consistent with safety. The harmony of Sir C. Barry's design is not interfered with by the erection of a parapet and wall, for a new purpose differing entirely from that fulfilled by the railing on the opposite side."

THE POLICE IN DONEGAL.

MR. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, at 4.15 a.m. on 29th July, a bailiff named Wales, assisted by police, forced open the door of Mr. Bernard Reynolds, one of the tenants on the Crocker estate, in South Donegal, against whom a degree for rent had been obtained at the suit of the landlord, and that, having forced open the door, rushed into the house, and demanded from Mrs. Reynolds, who was only partially dressed, the keys of the outhouses in which the cattle, the subjects of the proposed seizure for rent, were; and, on the keys being refused, the police and bailiff broke open the doors of the outhouses and seized the cattle; and, whether he will be able to say whether the police in thus assisting the bailiff were acting within their duty? I may say that two paragraphs of the question has been eliminated, which makes it rather poor English.

MR. A. J. BALFOUR: I am informed that the door of the dwelling-house was not forced open by the bailiff or the police, but was opened by some one inside, whereupon they entered. The police did not break down any door, or assist in any way. They were there to afford their personal protection solely.

THE NAVAL INSPECTION AND THE PRESS.

MR. T. W. RUSSELL (Tyrone, South): I beg to ask the First Lord of the Admiralty if he can explain how it happened that no intimation of the postponement of the Naval Inspection was conveyed to the Commander of H.M.S. *Seahorse*, with the representatives of the Press on board, and that, in consequence, this ship was compelled to remain unnecessarily in the Solent for six hours during the stormy weather of Saturday last, and her passengers thereby subjected to great discomfort and inconvenience; also why it was that they were required to provide their own refreshments, while the visitors on board the troopships *Serapis* and *Euphrates* were provided with a free lunch; and whether it was with his sanction that the representatives of the Press were thus treated?

LORD G. HAMILTON: At the time the *Seahorse*, with the representatives of the Press on board, left Portsmouth it was not known that the inspection was postponed. For reasons already stated it was not considered advisable to provide refreshments gratuitously for other than the Legislature and the Corps Diplomatique.

MR. RUSSELL: Were no other persons provided with free luncheons on board these ships?

LORD G. HAMILTON: There were the friends of Members of Parliament.

MR. RUSSELL: They were not official persons, I presume?

The question was not answered.

RAILWAYS IN IRELAND.

MR. O'HANLON (Cavan, East): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has read an account in the *Cavan Celt*, of a meeting having been held in Bailieborough to urge on the Government the importance of constructing a line of railway between Kells and Clones viâ Mullagh and Bailieborough; and whether the Government are prepared to give any pledge that this large district will be opened up in this way within the near future?

MR. A. J. BALFOUR: I have not seen the newspaper report referred to. But as the Light Railways (Ireland) Bill is general in its terms and does not deal with any particular line, its application to particular districts which may be decided to come under its provisions will be matter for consideration after the Bill becomes law.

ALLEGED OUTRAGE IN MOROCCO.

MR. NEWNES (Cambridge, E., Newmarket) on behalf of Mr. ATHERLEY-JONES (Durham, N.W.): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been drawn to a statement in the public Press that an outrage has been committed by the Pacha of Morocco against the property of the Native Agent of the British Legation, and whether the statement is accurate that Her Majesty's Government intend to demand reparation; whether the Agent is one Bookber Al Ganjowie, who is a notorious slave dealer in Morocco, and whether the alleged outrage consisted in the closing, by order of the Sultan, of certain houses of ill-fame owned by him; and, what is the nature of the reparation demanded by Her Majesty's Government?

*SIR J. FERGUSSON: No information has been received at the Foreign Office on the subject. The principal newspapers have been searched, but the statement referred to by the hon. Member has not been found.

H.M.S. *SULTAN*.

MR. EDMUND ROBERTSON (Dundee): I beg to ask the First Lord of the Admiralty when the Report of the proceedings at the inquiry into the circumstances attending the loss of the *Sultan* will be laid upon the Table?

LORD G. HAMILTON: The Report of the inquiry held into the circumstances of the loss of the *Sultan* has been published *in extenso* in the daily Press. I did not make this Report a Parliamentary Paper, as such a course would invite this House to review the decision of Courts of Inquiry.

MR. E. ROBERTSON: Will the noble Lord allow me to remind him that some time ago, in answer to a question, he promised to lay the Report on the Table?

LORD G. HAMILTON: No, I did not say that; I said I would take the matter into consideration. My reason for objecting to make the Report a Parliamentary Paper is that it would be practically an invitation to this House to review the decisions of a Court of Inquiry.

MR. E ROBERTSON: Is there any reason why this House should not review the findings of a Court of Inquiry?

LORD G. HAMILTON: Yes, Sir; I think there is every reason.

MR. E. ROBERTSON: In consequence of the answer I have received from the First Lord of the Admiralty, I wish to justify myself in putting the question on the Paper in its present form.

*MR. SPEAKER: No justification is required.

MR. E. ROBERTSON: In consequence of the answer which I received, which I regard as an evasive answer, I beg to give notice that I shall take every opportunity of bringing the circumstances of this inquiry under the notice of the House.

JERVIS'S ACT.

MR. AINSLIE (Lancashire, N. Lonsdale): I beg to ask the Attorney General when he proposes to amend the law in respect to offences committed under Jervis's Act (11 and 12 Vic. c. 43, s. 11), in order to prevent defaulters escaping punishment owing to proceedings having to be taken within six months of the misconduct complained of?

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): In reply to the question of the hon. Member, I have to say that the matter to which the question refers has not escaped attention,

but it was not thought desirable to propose any amendment of the law until the Reports of certain Committees which are now sitting have been received. I trust, however, that I may be able to deal with the matter early in next Session.

BEHRING SEA FISHERIES—SEIZURE OF THE *BLACK DIAMOND.*

MR. STAVELEY HILL (Staffordshire, Kingswinford): I beg to ask the First Lord of the Treasury whether any communications have passed between Her Majesty's Government and the United States Government with reference to the seizure by the United States revenue cutter *Rush* of the Canadian vessel *Black Diamond* in the Behring Sea?

*MR. W. H. SMITH: No statement of the facts of this case has reached Her Majesty's Government, either from the Colonial Authorities or from the master or crew of the vessel; but the Government of Canada have been asked for the requisite information.

SELECT COMMITTEE ON FRIENDLY SOCIETIES.

MR. NORTON (Kent, Tunbridge): I beg to ask the First Lord of the Treasury if his attention has been called to the publication by several of the morning papers, on the 7th inst., of the Report of the Select Committee on Friendly Societies before its circulation; and, if this has been done with the consent of the Chairman of the Committee, the hon. Member for Wigtownshire?

*MR. W. H. SMITH: I have communicated with my hon. Friend the Member for Wigtownshire, and he informs me that the Report of the Select Committee on Friendly Societies was not given to the Press with his consent or knowledge, although he was several times asked to do so.

BUSINESS OF THE HOUSE.

MR. SALT (Stafford): I beg to ask the First Lord of the Treasury if a Lunacy Law Consolidation Bill—inasmuch as it will probably contain no contentious matter—can be introduced and passed into law, in the ensuing Session of Parliament, before the Lunacy Bill of the present Session comes into operation?

*MR. W. H. SMITH: In this House last week an Amendment was inserted, on Report, into the Lunacy Amendment Bill, postponing its operation till next May, with the express view of making it possible to pass a Bill consolidating the Lunacy Acts before that date. This Consolidation Bill will be laid on the Table of the other House before the adjournment this Session.

MR. H. GARDNER (Essex, Saffron Walden): May I ask the right hon. Gentleman to consider to what great inconvenience hon. Members have been put by the putting down of the Tithe Bill about 14 times. Will he fix a definite day for it, and then take it *de die in diem*?

*MR. W. H. SMITH: I am very anxious to give the House all information with regard to the course of public business. But it is not in my power to fix the time which will be occupied with the business standing on the Orders before this particular measure. It is, however, the intention of the Government to take the Tithe Bill on Monday next. As I am referring to public business, I may say that, perhaps, it may be necessary to ask the House to sit on Saturday. ["Oh, oh!"] I make this announcement because I do not wish to take hon. Members by surprise. Gentlemen who object to a Saturday sitting are well aware that those who sit on this Bench are the greatest sufferers. I believe there is a strong desire not to prolong the Session, and I think it my duty to ask the House to sit on Saturday.

MR. G. O. MORGAN (Denbighshire, E.): Will the Tithe Bill be taken on Monday, whether the Irish Estimates are finished or not?

*MR. W. H. SMITH: I hope the Irish Estimates may be concluded to-morrow; if not, they may be taken on Saturday.

MR. SEXTON: Does the right hon. Gentleman really think he will advance business by forcing the Estimates in this way?

*MR. W. H. SMITH: I hope the right hon. Gentleman will not use the word "force." I wish to carry the House with me. No doubt it is inconvenient to every Member to be here on Saturday.

MR. G. O. MORGAN: If the Irish Estimates are not taken on Mon-

day, will the Tithe Bill be taken as the first Order?

*MR. W. H. SMITH: It will be substantially the first Order. Sometimes it is necessary to take a purely formal Measure first. The Bill will be taken on Monday, or at the latest on Tuesday.

MR. STAVELEY HILL: Does the right hon. Gentleman propose to proceed with it *de die in diem*, as it will probably last some time?

*MR. W. H. SMITH: Certainly, Sir; we propose to proceed with it until it is disposed of.

MR. C. W. GRAY (Essex, Maldon): May I ask whether, in the event of the Tithe Bill being passed, the Government will introduce a comprehensive Measure next Session dealing with the whole Tithe Rent-charge Question?

*MR. W. H. SMITH: I have more than once stated during the present Session that it was the wish of the Government to propose a comprehensive Measure on the Tithe Question. But we found it was a more difficult matter than we had anticipated, and the Bill prepared on the subject has not been introduced. The course the Government intend to take is either to bring forward a Measure of the character my hon. Friend has mentioned or to ask the House to concur with the other House in appointing a Joint Committee to inquire into the whole question with a view to legislation at the earliest possible opportunity.

SIR G. CAMPBELL: Are we to understand that the other Estimates are to be postponed until the Tithes Bill has been disposed of?

*MR. W. H. SMITH: Yes, Sir.

MR. LAWSON: May I ask the First Lord of the Treasury when the second or substituted London County Council Bill will be circulated among Members; whether the County Council will have an opportunity of considering it, and when the Second Reading will be taken?

MR. JACKSON: If the Bill has not already been circulated, it is certainly now in the Vote Office. We hope to proceed with it to-morrow night.

MR. MUNDELLA: Are we to understand that no measure on the Paper will be taken this week before 12 o'clock, and that the Estimates are to be taken during the whole week, including Saturday?

*MR. W. H. SMITH: That is rather a large order. But it is the intention of the Government to adhere to the Estimates this week, and to give full time to them.

MR. H. GARDNER: Will the proposed Commission have power to inquire into the working of the Tithe Commutation Act, 1836? And may I also ask whether the Government is in possession of any information on the subject that they did not possess two years ago, when they refused me a Commission?

*MR. W. H. SMITH: The hon. Gentleman is mistaken in supposing we suggest a Commission; I said a Joint Committee of both Houses.

IRELAND—CASE OF MR. CONYBEARE.

MR. MAC NEILL: I desire to ask the Chief Secretary for Ireland a question of which I have given him private notice—namely, whether he still adheres to his previous statements that the health of Mr. Conybeare, M.P., has not been affected by his imprisonment, and especially that his eyesight has not been injured by confinement in a white-washed cell. I hold in my hand a letter from Mr. Conybeare, complaining of injury to his eyes, which I should be pleased to read to the House.

MR. A. J. BALFOUR: I stated that, as far as my information went, and I still state, there is no reason for any fear with regard to the hon. Gentleman's health. I have no knowledge of the communication to which the hon. Gentleman opposite refers.

DR. KENNY: Will the right hon. Gentleman give directions to the prison authorities in Ireland to give up the absurd practice—condemned by everyone who has any knowledge of the subject—of whitewashing the cells, and to adopt some neutral colour?

MR. MAC NEILL: This is a very serious matter, affecting not only Members of this House but human beings. Will the House allow me to read Mr. Conybeare's letter? He says: "Mr. Balfour's reply to your question on Tuesday aptly illustrates the value of official replies."

*MR. SPEAKER: Order, order! Any controversial matter should not be introduced. The hon. Member should only read such portions of the letter as refer to the health of the hon. Member for Camborne.

MR. MACNEILL: The letter goes on to state that on the previous Wednesday my hon. Friend complained to Sir Hervey Bruce, one of the Visiting Justices. He says:—

"If the Prisons Board have no evidence of the condition of my eyesight, it is simply because they have never taken the trouble to inquire. The doctor here, so far as I know, has never been asked; at any rate, he has never asked me about my eyes. As a matter of fact, I protest against the whitewashed cell, as I have protested ever since I came here. My general health also is bad, and I am nearly crippled."

I should like to ask the right hon. Gentleman whether the Visiting Justice forwarded a Report, and where is that report now; and do the Government know, as a fact, whether Mr. Conybeare's eyesight is impaired or not?

MR. W. McARTHUR: Would it not be worth while—if only to satisfy the anxiety of the hon. Member's constituents—for the right hon. Gentleman to have a proper Medical Report of the health of the hon. Member for Camborne, and lay it before the House?

MR. BALFOUR: The Medical Officer of the prison, a most competent man, has daily opportunities of seeing the hon. Member. It is his business to report to the Prisons Board should there be anything in the gaol injurious to the hon. Gentleman's health. Nay, he has ample power, without going to the Board at all, to see that such changes are made in the treatment of the hon. Member as would prevent any injurious consequences. Of course, I shall be glad to make further inquiry, but under these circumstances I think there is no reason for any anxiety.

THE MAYBRICK CASE.

MR. A. O'CONNOR: May I ask the Home Secretary whether it is true, as stated in a great many newspapers, that one of Her Majesty's Judges was, at the termination of a criminal trial in Liverpool yesterday, followed and mobbed by a hissing and hooting crowd; whether the jurors and witnesses in the case were also hissed and hooted; and whether the prisoner, who had been found guilty of poisoning her husband, was cheered when placed in the prison van?

MR. MATTHEWS: I have no official information upon the points to which the hon. Gentleman has referred. I have seen the statements in the newspaper, and I have read with the deepest regret that that kind of popular review of the conduct of either Judge or jury should ever be witnessed in this country.

MR. A. O'CONNOR: May I ask the right hon. Gentleman whether he has seen from the papers, or learned from any official source, whether the police, who were in great force on that occasion, either batoned or bayoneted or shot the people?

RULES AND ORDERS OF DEBATE.

The Order of the Day having been called for the House to resolve itself into Committee of Supply,

MR. SEXTON: I wish to submit a question to you, Sir, in regard to an entry on the votes as to the proceedings yesterday in Committee of Supply. At half-past five o'clock a Division was in progress on an Amendment to reduce the vote for the Irish Constabulary. When the Division came to an end, it then being after half-past five, the Chairman did not leave the Chair according to the established rule, but put another Motion — namely, the main question on the Vote. Objection was taken to that proceeding, it being after half-past five, and the First Lord of the Treasury then rose and moved "that the Question be now put." The Chairman accepted that Motion and put the question. On being asked whether there was a precedent for that course the Chairman said there was a precedent on November 14 of last year. But there is a difference between the proceeding on the 14th of November last year and that of yesterday, because in the former case no objection was taken to proceeding after half-past five o'clock, and no objection appeared in the Report of what passed. As soon as the Division after half-past five was over the Chairman was bound by the Standing Order to leave the Chair, and after objection was taken further proceeding with contentious business ought according to the rule, as I understand it, to have been abandoned. I, therefore, wish to ask you, Sir, if you are disposed to inform the House what is the proper step to be taken by an hon. Member to have the entry on the Votes expunged where the rule has been transgressed.

I also object to the entry as being inaccurate and incoherent. The entry says—

"It being after half-past five o'clock and objection being taken to further proceeding, the Chairman rose to interrupt the business."

These words are inaccurate, because the Chairman rose to put a new Motion, a further Motion—namely, the main question, and then objection was taken. I submitted that the record ought to be amended so as to make it either a faithful or an intelligible representation of what actually took place.

*MR. SPEAKER: I was not aware that the right hon. Gentleman was going to raise a point of order, and, indeed, it is irregular to do so after the business has commenced, and after the occasion on which the point of order arose. But I must respectfully decline to constitute myself a Court of Appeal from the decisions of the Chairman of Committees. The point of order raised yesterday was settled; and if any doubt lingered in the mind of the right hon. Gentleman as to the ruling of the Chairman of Committees it was within his competence to bring it before the House at the time. The Chairman is perfectly competent to decide a point of order in Committee; and I never heard of an appeal being made from the decision of the Chairman to the Speaker. From what I can see of the proceedings I believe they were perfectly in accordance with precedent and with the common law and practice of Parliament. If when half-past five is reached an Amendment to a question is then being decided by a Division, the time of the interruption of business is thrown forward. When the first question on the Amendment is decided, the main question is proposed, and if objection is taken thereto it is quite in order to move the closure pursuant to the new Standing Order. As for the entry in the Votes I do not observe anything which is irregular. I find it states that "Mr. W. H. Smith rose in his place and claimed to move 'That the Question be now put.'" It is quite competent for the right hon. Gentleman to move that Motion, at the time indicated, and it is the form in use since the new Standing Order, "Sittings of the House," came into force. But I must protest against any reference being made to me against any decision arrived at in Committee; and I have only entered thus far into the matter out of regard for the right hon. Gentleman and out of respect for the House generally. No irregularity occurred, in my opinion, but these proceedings were perfectly regular.

MR. SEXTON: Of course, Sir, I bow to your ruling, and I shall take the opinion of the House on another occasion. But in the matter of the accuracy of the records of the House, you surely, Sir, are the guardian of the House. The record states—

"It being after half-past five of the clock and objection being taken to further proceedings the Chairman rose to interrupt the business."

This statement is inaccurate, and that part of it with respect to objection being taken is incoherent and unintelligible.

*MR. SPEAKER: I will communicate with the right hon. Gentleman to see that the record is correct, but I have no reason at present to doubt its accuracy.

MR. COURTNEY: Perhaps I may be allowed to say one word. The right hon. Gentleman the Member for West Belfast has power to arraign my conduct in this particular, by a Motion made in the House, which is the proper step to take. What was done yesterday was strictly in accordance with the precedents which have been followed both in Committee and in the House. In the particular point to which he has called attention—as to the word "rose"—he is perhaps justified in his remark. The exact situation may be represented in this way. The Chairman rose, and thereupon he would have left the Chair, objection being taken to further proceeding, had not the right hon. Gentleman moved that the Question be now put. The only point is that the Chairman was on his legs throughout the incident, and therefore the word "rose" is inaccurate.

MR. SEXTON: I perfectly accept the right hon. Gentleman's explanation, but will he be good enough to see that the record corresponds with his narrative?

ORDERS OF THE DAY.

CIVIL SERVICE ESTIMATES.

SUPPLY—considered in Committee.

(In the Committee.)

CLASS II.

Motion made, and Question proposed,

"That a sum, not exceeding £84,062, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, for the Salaries, Allowances, and Expenses and Pensions of various County Court Officers, of Divisional Commissioners and Magistrates in Ireland, and the Expenses of Revision."

*MR. A. PEASE (York): The Motion which stands in my name has been described in the public press as an attack upon the Resident Magistrates of Ireland. I demur to that description of it, for it is not my intention to attack the Resident Magistrates of Ireland generally, but rather to attack the system under which they are appointed, and the manner in which the Chief Secretary administers that system. So far from desiring to denounce the whole body of the Resident Magistracy, I would have them placed in a much higher position in the public estimation, where their impartiality and independence would be above suspicion. It will be my disagreeable duty to criticise the conduct of one or two individuals, but I do not desire to attribute the characteristics of these to the whole class to which they belong. Indeed, in some parts, at any rate of Ulster, the Resident Magistrates are the only Magistrates now saturated with Orange prejudices; and at the hands of the Stipendiary there is the only hope for the Nationalist to obtain that justice which is the birthright of every subject of the Crown. It is my sincere wish to ensure a respect for constituted authority, which is now impossible. I am aware the Chief Secretary and a certain number of hon. Gentlemen opposite look upon the Mr. Cecil Roches, the Captain Segraves, and the County Court Judge Webbs—the latter of whom earned, in some degree at any rate, his preferment to his present position through being assistant author of the articles "Parnellism and Crime," and who has shown his gratitude for his preferment by doubling or increasing on appeal the sentences passed on Members of this House, and other political opponents of the Chief Secretary—I know that these men are looked upon as saviours of society. They are not saviours of society; but I believe there have been Resident Magistrates, County Court Judges, and Judges of the High Court, who have stood between the Government and their attempt to prostitute and degrade the law for political purposes. While the Chief Secretary and a certain section of Irish officials, and those adventurers who may be described as men who bring their loyalty to market, have been engaged in working the law for their own ends, and to gratify a faction, and bringing thereby contempt upon the law, hatred upon its administration, making the rights of property intolerable, and depriving the people of their Constitutional liberty, there have been men in Ireland who have resisted the pressure of the Castle, of the Government, and that social pressure of the ascendency class in Ireland, more potent because more insidious, there have been men who have endeavoured to give the same law to the Nationalist and the Catholic as to the Protestant and Tory. Now, we find from a Return laid before the House that all the 90 and odd members of the Resident Magistracy occupy their positions during pleasure, and whose pleasure? The pleasure nominally of the Lord Lieutenant, but the pleasure actually of the Chief Secretary. Sir, they occupy their position during the pleasure of a Party man and a Member of the Government. I imagine that in no country would such a state of things be looked upon as fair, either to the public at large or to that section of the judiciary to which these men belong, and I do not think it is fair to the Resident Magistrates themselves that they should feel that the retention of their position, and in some cases their very livelihood, depends, not upon the conscientious discharge of the duties of their office, but upon the favour of the Chief Secretary. Such a condition of service must, in the course of time, degrade the Bench in public estimation, and lead to a certain servility on the part of members of the Bench. I regard unquestioning obedience to the law the state of mind which a good Government should try to cultivate; but the present Administration, by the methods they pursue, constantly raise in the minds of the people the questions: Are the trials fair trials, are the Justices who try the cases fairly appointed, and are the authorities as

anxious to secure fair trial for the prisoners, as they are to secure the convictions of the men brought before the Courts? When a Nationalist is brought before a political opponent presiding over one of these Courts, appointed partly on account of his Party bias by a political Minister with strong Party ties, to deal with a case into which political feeling enters very largely, I say the public at large naturally ask the question, is the tribunal a fair tribunal, and is the Magistrate fairly appointed? Now, let me call the attention of the Committee to the qualification of the Resident Magistrates for their office. Of the 90 and odd Resident Magistrates I find that 27 have served in the Army, the Indian Army, or the Militia. Now, it seems to me these are qualifications that do not commend themselves to the people, having regard to the tribunals before which their leaders are brought. They savour rather of a state of Martial Law than of what we expect to see in the United Kingdom under Constitutional Law, and under the reign of what we regard as the Ordinary Law. If we look to the former avocations of Resident Magistrates as given in the third column of this Return we find some very curious qualifications set down. I will not read the names of the Resident Magistrates, but if we commence with No. 7 on this list we find the name of a gentleman who is described as having formerly been a "resident county gentleman and Honorary Secretary to the Tipperary Agricultural Society." Well, I cannot for the life of me see in what way his having been Honorary Secretary to the Tipperary Agricultural Society could be a qualification for the position of a Stipendiary Magistrate in Ireland. The next on the list is described as having "served seven years in the 8th Hussars, and afterwards in the Militia"; the next "served in the Army, and was afterwards Assistant Commissioner in the Dublin Police"; the next "served as High Sheriff in County Limerick in 1881," and "kept all terms for the Bar, but for family reasons was not called." So I might go on through the list giving the qualifications for these gentlemen holding the position they do. There is another objection I take to the system under which Resident Magistrates now act, and that is that there is a confusion between their judicial and executive functions. Under Lord Spencer an effort was, I believe, made to prevent this confusion in the duties of the Resident Magistrates from arising, and to insure that the Magistrates who made orders in Court should not execute the decisions themselves. But now the spectacle is frequently seen of a Resident Magistrate adjudicating on a political case in Court, and then going out to give effect to the orders in person at the head of the police, and sometimes with a blackthorn in his hand, aiding the constables to baton the people. Before I have done I shall allude to some instances of this kind in respect to one Resident Magistrate; but I am glad to say that, so far as my own knowledge goes, it is the only case of a Resident Magistrate taking part in the beating and batoning of the people; there may be other cases, but they are not within my own knowledge. I may call attention to the dictum of an Irish Judge in reference to the Magistracy—it is old, but it is as applicable now as it was to the times in which it was delivered.

"But there is one remedy that would, in my estimation, more than any other, especially contribute to soothe the minds of the discontented peasantry and thereby enable them patiently to suffer the pressure of those burdens which cannot under existing circumstances be effectually removed; I mean the equal and impartial administration of justice. . . . . It is not improbable that many men have crept into the Commission who, however useful they might occasionally have been, ought not to remain. The needy adventurer,—the hunter for preferment—the intemperate zealot—the trader in false loyalty—the jobbers of absentees—if any of these various descriptions are found their names should be expunged from the Commission."

*THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): May I ask the hon. Gentleman who he is quoting from, and when and where this was said, and was it in reference to the ordinary Bench or to Resident Magistrates especially?

*MR. A. PEASE: The learned Judge was referring, I believe, to the whole Magistracy of the country. The name of the learned Judge was Fletcher. I cannot give the exact date, but he was delivering a charge to the Grand Jury in County Wexford.

MR. W. REDMOND: In 1814.

*Mr. A. J. BALFOUR: That is a long time ago.

Mr. E. HARRINGTON: So much the better.

*Mr. A. PEASE: Well, I say some of these Resident Magistrates are unfitted by their previous training to adjudicate on the cases brought before them under the Crimes Act, and many others are equally unfitted for the executive functions they have to discharge. I have myself seen what I can only describe as the crazy ferocity of a Resident Magistrate almost bring about one of those scenes of bloodshed and brutality which are, unhappily, frequent in Ireland, events which, however much they may gratify the appetite of Tories for giving the Irish a lesson, do more to stimulate the passions of the people and to degrade the Executive, the administration of the law, and to injure the prospects of good orderly government than any other incidents whatever. In one particular instance I have in mind nothing but the good sense of the District Inspector who was at the head of a large force of constabulary and who very freely and liberally interpreted the orders he received prevented an inexcusable scene of wanton bloodshed and brutality. We had yesterday some strictures upon the conduct of the police, but I may say that, so far as my own experience goes, I have never seen the police behave badly except when they have been badly handled by the Resident Magistrates, and although the Resident Magistrates who have mismanaged the police do not form a large proportion of those whose names are mentioned in this Return, yet there have been occasions when the mismanagement of Resident Magistrates has brought about scenes that are a scandal to any civilised country. Such a scene was that at Mitchelstown, when Captain Segrave had command. Hon. Gentlemen opposite must be aware of the chronic disposition and mental attitude of some of these gentlemen towards the people at large. While travelling in the West of Ireland not so long ago, I, for the greater part of one day, had the companionship of a Resident Magistrate, and an agreeable, courteous, pleasant companion he was. In the course of conversation we got on to the question of hunting in the district, and the stopping of hunting by the occupiers of land in several parts of Ireland, and I asked if hunting had been so stopped in the district near where we then were. He informed me that an attempt had been made, but he said—

"We gave them a lesson on the first occasion when they tried to prevent us going on their land. We——

and I suppose he was including other Magistrates;

"had the men before us and we gave them——

I forget the exact sentence,

"but three or six months' hard labour for objecting to our riding over their land."

Now, if there is one amusement more than another that depends upon the good will of the agricultural community it is hunting. I was shocked, not only by the account of the punishment inflicted—I cannot myself understand how it could be inflicted; I do not think it could be legally inflicted [Hear, hear! from Mr. Balfour]; but we have a reckless executive in Ireland who obey no law but their will — but, as I was about to say, I was more shocked by the lightness with which my companion referred to the whole proceeding and the punishment awarded to these men. I can only say of the part of Yorkshire in which I reside that if there were landlords who set themselves to level and destroy the homes of the people as some Irish landlords have, then I should say that all those engaged in agriculture would be fully entitled to take every legal means in their power to prevent these exterminators — the devastators of the country and the burners and levellers of the people's homes—from the amusement of riding over the fields of those whom they were persecuting. I say this, being myself a strong supporter of the sport. What shocked me more in the conversation with the Resident Magistrate, of whom I speak, was not so much what he said as the manner in which he said it. An incident, of which he seemed to be particularly proud, was having escorted a batch of 40 evicted tenants and their sons to Sligo, where they were sentenced to terms of imprisonment with hard labour for 12 or 18 months. I believe this gentleman to be an honourable and naturally a kindly-disposed man, but his mind appeared to me to be utterly corrupted

by the brutal system which he had been called upon to carry out for a number of years. The system was bad enough before the Chief Secretary touched it, but the appointments made to the Magistracy since his time have been more scandalous than before. I was about to allude to Captain Segrave, but I am not quite sure whether his appointment was not made under the present President of the Board of Trade, so I pass that appointment by, and call particular attention to that of Mr. Cecil Roche. [Mr. A. J. BALFOUR: He was not appointed by me.] The right hon. Gentleman has told the House, however, that Mr. Cecil Roche had been advanced and promoted because he considered that his action in Ireland had deserved it. [Mr. BALFOUR: "Hear, hear."] Who was Mr. Cecil Roche? He was a gentleman who at General Election times was a lecturer and orator engaged on behalf of the Conservative Party. He was engaged by the Irish Loyal and Patriotic Union as an itinerant agitator. It seems to me, therefore, that while Houston and Pigott brought their loyalty to market and sold it to the *Times*, Mr. Cecil Roche did very much the same thing in selling his loyalty to the Chief Secretary. But those qualities which make an administrator hated and create ill-feeling and bitterness among classes in Ireland, seem to me to be the chief recommendations to distinction in the eyes of the Chief Secretary, and a speedy and direct road to promotion and reward. In the mere figures of the convictions recorded before Mr. Cecil Roche I think we have something like a fulfilment of the prophecy held out by Mr. M. Blake, who was Sessional Crown Solicitor for Cork, and who resigned that office on the passing of the Crimes Act. In his letter of resignation he said:—

"The nature of the procedure under the Crimes Act seems to me to deprive the Crown Prosecutor of any discretion in discriminating between the innocent and guilty—while the tribunal before which he would have to act appears scarcely to have the independence that, in my judgment, ought to characterise any Court intrusted with the liberties of the people."

I have not been able to find out the full number of convictions in cases tried before Mr. Cecil Roche under the Crimes Act, but between March of last year and the previous August this Mr. Cecil Roche appears to have heard charges against 90 persons, of whom he convicted 84. These facts are surely significant of the temper of the man. A learned Judge of the High Court has expressed something very like contempt for these Courts. While Captain Plunkett has found a motto suitable for the Irish Constabulary policy of the Chief Secretary, Baron Dowse has found one for the right hon. Gentleman's Coercion Courts. Yesterday he said of them—

"I am no great admirer of these inferior Courts; it appears to me their motto is, 'I am Sir Oracle, let no dog bark.'"

Now it will be said that in the hearing of these cases Mr. Cecil Roche had the assistance of another Resident Magistrate; but everybody knows that every Resident Magistrate has to play second fiddle to Mr. Roche, and in one case he openly denounced as too lenient a sentence passed in his presence by the presiding Magistrate, Mr. Kilkelly, who thereupon asked Colonel Turner to relieve him from the duty of sitting with Mr. Roche again. Well, Mr. Roche is promoted, and Mr. Kilkelly is removed to another district. It is impossible to review anything like a considerable proportion of the cases tried before Mr. Cecil Roche, we shall never know what the common people have suffered at the hands of Mr. Roche; but we can gather some idea of it from what has happened in the cases of Members of this House. The wicked severity of Mr. Roche is illustrated by his sentencing the hon. Member for East Clare (Mr. Cox) to four months' imprisonment, on the charge of unlawful assembly, in attending a meeting in a proclaimed district and delivering a speech to his own constituents, the main burden of which was a denunciation of crime and outrage. The best comment upon the sentence is that the County Court Judge reduced it to one month's imprisonment as a first-class misdemeanant. At the risk of wearying the Committee to whom I know the reading of extracts is distasteful, I will read some passages from the speech of the hon. Member for Clare, including the incriminating language, and for this speech I ask the Committee to remember the hon. Member was sentenced by Mr. Roche to four months' imprisonment. Here is an extract from the speech delivered to his constituents:—

"I would implore the young men of Clare, and I wish my voice could reach the ears and hearts of every young man to-night, and this Lisdoonvarna case may point a moral if it cannot adorn a sad tale for them. Let them shun outrages and avoid the tempter to evil deeds as they would shun Satan himself, and if for no holier and higher motive, at least for the selfish motive of their own safety. There are foolish people in the country who think revenge should be wreaked for any petty act of local tyranny. I do not think the common sense of the country will accept their opinions and views against the opinions and views of our great leader, Mr. Parnell, or the greatest statesman of modern times, Mr. Gladstone. Wherever and whenever you meet with such men avoid and shun them, for, believe me, theirs is no good purpose. The louder they boast of their patriotism and what they are prepared to do and dare the more reason have you to shun them, for, believe me, nine out of every ten of such men are in the pay of our enemies. We have now the great Liberal Party of England at our back, with their great leader, Mr. Gladstone; we have the English democracy with us, as will be told to you in a few minutes by Mr. Conybeare. With such allies, nothing can stop or stay our march to liberty, save and except the commission of outrage, which must inevitably drive our allies from our side, and bring joy, hope, and satisfaction to the hearts of the miserable gang of coercionists—the Cullinane Balfour now in office. Hearken, then, to the advice of the great leader who never yet gave wrong counsel or advice; follow the counsel of the veteran leader of the Liberal Party, be guilty of no crime or outrage, follow the open and Constitutional agitation which will certainly bring us to the goal of our long lost right! "Adhere to the doctrines and teachings of the National League—but I forget my friends. Balfour says the League has been proclaimed in Clare. I ask you, is it? [*Loud shouts of* "No!"] I wish Balfour were here to listen to that thundering shout; he would know the value you place on his proclamation. I beseech you all, young and old, to adhere to the Constitutional teachings of the National League."

Well, these utterances are the crime for which the hon. Member for East Clare was sentenced to four months' imprisonment. Next on the list we come to the treatment of the hon. Member for West Kerry. Mr. Roche sentenced the hon. Member for West Kerry (Mr. E. Harrington) to six months' hard labour for reporting in his own newspaper a speech delivered to his own constituents, and that sentence horrified and disgusted a good many Conservatives and honest Tories, and I believe has done more to throw light on the manner in which the Chief Secretary has the law administered in Ireland than any other sentence passed under the Crimes Act. The hon. Member for the Harbour Division of Dublin (Mr. T. Harrington), who has had no connection with the paper for years, although by a clerical error his name appeared on the list of proprietors, was for the same offence in January, 1888, sentenced to six weeks' hard labour — an infamous sentence, the appeal against which has been taken to the High Court, without, however, any day having as yet been fixed for the hearing. This is in itself a significant commentary of the High Court on the action of the Chief Secretary from the Magistrate. Mr. W. O'Brien was sentenced by Mr. Roche to six months for alleged conspiracy; and the comment on this sentence by another County Court Judge was the reduction of it to six weeks. There are other cases on the list, but I think I have quoted enough to show what treatment the political opponents of the Chief Secretary have at the hands of Mr. Cecil Roche. I should like to quote what a London Unionist paper says with regard to some of these convictions—

"To us it appears clear that Mr. Roche, the Magistrate who tried Mr. T. Harrington's case, decided it contrary to the weight of evidence. There is an apparent vindictiveness about this prosecution which is not creditable to the Government. It will be said throughout Ireland, and with good reason, that Mr. T. Harrington has been prosecuted and convicted not because he had any connection with the *Kerry Sentinel*, but because he is Secretary of the Irish National League."

Then the article goes on to say—

"Even Irish County Court Judges are becoming ashamed of the petty and contemptible prosecutions of Mr. Balfour. Yesterday Judge Morris converted Mr. Sheehy into a first-class misdemeanant, at the same time strongly expressing himself against the infliction of degrading and humiliating punishments on political prisoners."

This is how Mr. Cecil Roche has distinguished himself in endeavouring to pass humiliating and degrading sentences on the political opponents of the Chief Secretary, and for this he has got his reward. Now, what sort of example do these gentlemen set, one of whose functions is to suppress the practice of boycotting in Ireland? The hon. Member for West Kerry alluded yesterday to this matter of boycotting on the part of Mr. Cecil Roche. This gentleman was solicited in the usual way for his annual subscription towards Tralee races, but he declined to have

anything to do with the matter, and introduced for the first time a political element into these matters. He could not, he said, have his name associated with that of the hon. Member for West Kerry. The original letter of Mr. Cecil Roche, dated July 26th, has been put into my hand, and in this letter Mr. Roche declines a subscription on the ground that he does not feel justified in giving his support, owing to the presence on the Committee of an individual whom it was his painful duty to sentence to a term of imprisonment, and who, in his journal, systematically insulted those engaged in the maintenance of law and order. At the same time, there appears to be a letter from Colonel Turner, in which he says that under ordinary circumstances he would have been glad to subscribe, but as he saw in the list of stewards a person who had been a persistent breaker of the law and a constant traducer of the Royal Irish Constabulary, he must decline to do so. These two men, I say, are setting the example of boycotting to the country. I have always thought that even where a man has been a criminal, that having been convicted and suffered his term of imprisonment, he is to be regarded as having purged himself of his crime. I do not suppose that even Mr. Cecil Roche in his heart of hearts regarded the hon. Member as a criminal. And, now, I should like to give a few samples of the sentences passed by Mr. Cecil Roche. His sentences are the heaviest passed in any of the Coercion Courts in Ireland. In one case Dennis McNamara, of Ennis, convicted of the crime of selling *United Ireland*, was, on November 26th, 1887, sentenced by Mr. Cecil Roche to seven days' imprisonment. This crime of selling *United Ireland* appears to have been committed in every part of the country, and yet this man alone appears to have been singled out for prosecution. A month afterwards, for a repetition of the same offence, the man was sentenced to two months' imprisonment with hard labour; and not long after that for displaying in the window of his grocer's store a representation of a harp without a crown, and a shamrock with the motto, "God save Ireland" on it, he was brought up before Mr. Cecil Roche again and fined £2. Sir, the device for the display of which this man was fined £2 is to be seen in this Chamber, and, if it were daylight, it could be seen in the stained glass of the windows. If it is a crime to display such a device in Ireland, surely it should also be a crime to do it here. Besides being fined £2, this man was subjected to a course of petty persecution. Policemen were told off to take the names of the people entering his shop, and some were permitted to ransack his little place, take away a part of his stock-in-trade, the object, obviously, being to ruin him in his business. Then a man named Brosnan was sentenced by Mr. Cecil Roche to one month's imprisonment for selling *United Ireland*. A man named O'Rourke was sentenced to the same term of imprisonment for selling the *Cork Herald*, and Pat Ferriter was sentenced to three months' imprisonment with hard labour for selling *United Ireland*. There are a number of other cases tried by Mr. Cecil Roche where the sentences were equally atrocious from our point of view. There was the case of Moynahan and Quinlan, who were sent to prison for one month each for "something between a boo and a laugh, in fact a mongrel laugh;" and there is the case of M'Carthy, who was sentenced to 14 days' imprisonment for simply refusing to go off the footpath to make way for a policeman. Another man named Sullivan was sent to gaol for three months for "having arms in a proclaimed district," the "arms" consisting of a "heavy leaden bullet," which the man—against whom not a particle of evidence was brought—said he had seen in the road and had picked up for a marble. I could mention many other cases to show that amongst the most abominable and cruel sentences passed by any Resident Magistrate under the Coercion Act are those of Mr. Cecil Roche. But Mr. Cecil Roche has distinguished himself in another way. On a good many occasions after his wearying labours in the Coercion Court, he has taken relaxation in batoning the people. He did that at Miltown Malbay. A number of blacksmiths had been tried, or rather sentenced—for no evidence of conspiracy whatever was given—to imprisonment with hard labour, and a small crowd cheered them. The police charged the crowd, and Mr. Cecil Roche himself joined in the assault,

striking the people with his stick. Then, again, on 12st January, 1888, at Dingle, a number of men were sentenced to imprisonment for one month for laughing and groaning at the police on their way to prevent a meeting of the National League. There was the usual termination to a Petty Sessions—a number of people gathered sympathising with the prisoners—the crowd was charged, and with 30 constables, Mr. Cecil Roche cruelly attacked the defenceless people and batoned them mercilessly. Then at Rathmore, on the 11th February, a number of men had been sentenced to three months' imprisonment with hard labour for a trivial and technical assault on the police, and as soon as the business of the Court was over Mr. Cecil Roche retired to the public street and batoned the people. I maintain that this is not only brutalising to the people, but degrading to the administrators of the law. I certainly consider that this gentleman whom the Chief Secretary has advanced and preferred on account of his services "in the cause of law and order in Ireland," is, perhaps, the worst case I could adduce. It is an illustration of the spirit and method of the Chief Secretary, and I shall ask the Committee—though I will not ask it to endorse all I have said in regard to this individual or any other individual—to support me when I move the reduction of this Vote, as a protest against the way in which this system is administered by the Chief Secretary, and against the system itself. I think that all men will in their calmer moments regard this system as one inimical to the partiality and independence of the Stipendiary Magistrates in Ireland. In order to test the feeling of the Committee on the question, I will conclude by moving the reduction of the Vote by £1,000.

Motion made, and Question proposed, "That a sum, not exceeding £83,062 be granted for the said Service."—(*Mr. Alfred Pease.*)

MR. P. J. POWER (Waterford, E.): Various instances have been given by the hon. Gentleman who preceded me as to the manner in which the law is administered in Ireland. He has dealt with the action of Mr. Cecil Roche, and he has shown that a state of things prevails in Ireland which very few Members of this House could conceive. So far as I am personally concerned—and I think I may say the same on behalf of my Colleagues in this House, and of hon. Members from Ireland generally—we should welcome heartily the appearance of English gentlemen amongst us, whatever their politics may be.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. P. J. POWER proceeded: I think if they would only go to see the country, they would better understand the question; but they must not go and stay amongst partisans on either side. I believe that if a gentleman goes there and stays at hotels, he will soon learn for himself more in connection with the Irish Question than he could gain by any amount of reading. Now, the hon. Member for York has done that. In his speech he referred to two cases which were tried before the notorious Cecil Roche. I do not propose to deal with any other cases which come under the notice of that Stipendiary Magistrate for, probably, some of my hon. Friends sitting around me, and especially my hon. Friend the Member for Kerry, who has experienced the leniency of that Magistrate, will be better able to say a few words as to his administration of justice. I desire to point out this—that nowadays in Ireland they do not go through the form of reading the Riot Act; they declare a meeting illegal and immediately order the police to baton the people indiscriminately. I have in my hands a case tried by two Magistrates, in which a number of people were accused of unlawful assembly, and that assembly consisted of a demonstration of sympathy with the families of men who had been imprisoned under the Coercion Act. Now, the constables who gave evidence in the case said that no disturbance or disorder of any kind occurred. There was merely a procession of men and carts bearing presents for the families of the imprisoned men. But it was a glaring case in the eyes of the Magistrates, and the result was that two men were sentenced to two months' imprisonment for taking part in the demonstration, and a number of other men got six weeks' hard labour for the same so-called offence. It may be ancient

history, but I should like again to draw the attention of the Committee to the action of one of the principal Stipendiary Magistrates in Ireland who administered so-called justice in Cork and the adjoining counties. Every person interested in our country is, I think, prepared to admit that it is absolutely necessary, if the country is to be prosperous, that respect for law and order should exist, but we say that if you want to have order in any community, the first thing to do is to appoint capable and impartial men to administer just and even-handed law. The right hon. Gentleman when he carried his Coercion Bill through the House of Commons assured hon. Members that he had no intention whatever of interfering with the liberty of the press, but my hon. Friend the Member for the City of York has pointed out case after case in which newsvendors have been imprisoned for long terms of hard labour for selling papers which can be sold with impunity on this side of St. George's Channel. Even to-night, on my road down to the House, I bought a copy of *United Ireland*, which contained reports of meetings of suppressed branches of the National League. The vendor of that paper to me will certainly not be prosecuted, but people selling a copy of the same paper in Ireland are subject to prosecution. But now I wish to call attention to the case of Captain Segrave. I may be told that Captain Segrave's case is still under consideration, but may I point out that there are scores of people in Ireland who are suffering long terms of imprisonment, many with hard labour, and who have been sentenced by benches of Magistrates on which this gentleman occupied the principal position? Unfortunately we hear no expression of hope from hon. Gentlemen opposite that the persons who have been so sentenced shall be set at liberty. One of the most disastrous occurrences in Ireland was that at Mitchelstown, and at the inquest which was held in connection with it, touching the murder of the three people who lost their lives on that occasion, Captain Segrave was called as a witness, and I propose now to quote the account which this gentleman gave of himself on oath, and I will then ask the House whether they expect the people of Ireland or of any other country to respect the law which is administered by a gentleman of that description. Captain Segrave was first asked—"Where did you get your legal training for the position of Stipendiary Magistrate?" and he replied that he had no legal training for that position. Then he was asked, "Where did you get your military training?" His answer was, "In South Africa," and my hon. Friend who was cross-examining him on that occasion very properly remarked, "And a good place, too, to teach men to deal with an Irish crowd." It appears there was a little irony in that remark, for it was about that time that the Prime Minister had shown his good taste by speaking of the Irish as a nation of Hottentots, and therefore Africa must have been a good place to which to send a Stipendiary Magistrate in order to teach him how to deal with Hottentots. The examination continued:—

"Q. Did you ever get a commission in the Army? A. No.—Q. Did you try? A. I did.—Q. Did you fail? I did.—Q. Did you try once more? A. I tried once more for the preliminary examination. I passed the second time.—Q. Did you try again for the Commission? A. I did.—Q. Did you fail? A. I did, but not very ignominiously.—Q How long after that did you go to the Cape? A. Not long after. I went into the Frontier Mounted Police there. I remained there a little over three years, and then left. I left the force a private. They did not seem to appreciate service there, for promotion was not rapid.—Q. Would a policeman be guilty of dereliction of his duty if he did not give your message to the County Inspector? A. I do not know. I suppose he would.—Q. Then you don't know anything about constabulary law? A. No.—Q. Had you the command of the constabulary that day? A. Yes. I was in command on that day.—Q. Did you ever see the Police Code? A. No.—Q. Were you ignorant of the instructions in the Code as to firing? A. Yes; I was.

Now, Mr. Courtney, let me point out to the Committee that this is not the description given by one of us of this Magistrate. It is a description which he gave of himself upon oath, and when hon. Gentlemen talk to us about our want of respect for law and order in Ireland, I ask them whether they themselves could respect law if it were administered by men of this description, and whether they would think of insulting the people of this country by allowing such men to administer the English law. I could give instance after instance of the doings of this gentleman, but I shall be followed by some of my hon. friends, who have

had more experience of the way in which coercion is administered in Ireland, and to them I will leave the duty of further dealing with this topic. Unfortunately the Stipendiary Magistrates have not only our liberty in their hands, but they have likewise the levying of the taxes. Hon. Members may not agree with that, but I say it is so, because they get up riots and then bring down the police and military at enormous expense to the people, without consulting the local Magistrates. I could give a case which occurred in the city of Waterford in which the Stipendiary Magistrates disregarded the views of the entire Bench of local Magistrates—of Conservatives as well as of Liberals—who wished that a certain demonstration should be allowed to continue, as it always had been allowed—namely, a celebration in honour of the Manchester Martyrs. But the Stipendiary Magistrates disregarded the unanimous vote of the local Magistrates, and insisted that if a meeting were held it should be broken up. What was the result? The meeting was held, and a violent collision took place between the people and the police. Now, in the Debate which took place yesterday, the Chief Secretary made allusion to the trial which took place at Carrick-on-Suir, in which my hon. Friend the Member for North-East Cork was concerned, and he gave the House the impression that my hon. Friend deliberately left the Court before the proceedings terminated. Now, I was present on that occasion, and I say that the course which was taken was brought about by the conduct of the Resident Magistrates, and was not pre-conceived or pre-arranged in any way. In the first instance, as we approached the Court we found that a large cordon of police had been drawn across the street, and these men placed their bayonets against our breasts as we approached them. My hon. Friend was grossly assaulted. Several times he was thrust back with the butt-end of muskets, while the hon. Member for Longford, who was attending in his legal capacity to defend the hon. Member for North-East Cork, was also assaulted in a most aggravated form. At last we got into the Court, where the two Removables were sitting. The Court was by no means an open one, and the public were excluded. A lady, the sister of the late John Mandeville, who was sent to an early grave by the action of the Government, sought admission, but I suppose as it was known she was in sympathy with my hon. Friend she was refused the right to enter, and it was not until my hon. Friend the Member for North-East Cork himself went out of the Court and insisted on her admission that she was allowed to enter. What caused my hon. Friend to leave the Court was this. A slight demonstration took place in the gallery; I have heard demonstrations more pronounced at the New Law Courts in London. The Stipendiary Magistrates at once ordered the galleries to be cleared. My hon. Friend the Member for Longford asked the people not to make any further demonstration, and assured the Bench that if they were allowed to remain they would accede to his request. But it was of no use. The Stipendiary Magistrates insisted on the galleries being cleared. My hon. Friend said:—

"If this is not to be an open Court, and if the people are to be batoned out of the galleries, then I also will leave with them."

And I believe I never saw a more pronounced specimen of incapacity on the part of the Magistrates than that I witnessed on that occasion, for my hon. Friend the Member for North-East Cork, in spite of the order of the Magistrates, which somehow was not conveyed to the police, walked quietly away, and soon afterwards left the town. The Magistrates at once issued a warrant for the arrest of my hon. Friend, and then adjourned the Court until the following day. In that little town—in this country you would only call it a village—there were 180 armed policemen, and the Stipendiary Magistrates, finding they could not secure his arrest, gave orders for 150 additional policemen and two companies of military to be drafted into the town on the following morning. What was the result? The Court sat the next morning. The Court House was surrounded by this large force of police and military. My hon. Friend's name was called inside and outside the Court. At that time he was many miles away on his road to Manchester to address the constituents of the right hon. Gentleman the Chief Secretary for Ireland. But what I wish to point out more particu-

larly is that this little community was put to great expense by the action of the Stipendiary Magistrates, and this, I think, justifies my assertion that the Magistrates not only have the lives and liberties of the people in their hands, but they have also the imposing of taxes upon them. I wish further to point out that the present coercion is aimed not at crime and criminals, but at political opponents and at political organisations, and its main objects are to break down organisations which have been found to be absolutely necessary for the preservation of the lives of the people. Now, I should like to read to this Committee a statement made by the County Court Judge at Waterford. In addressing the Grand Jury at Quarter Sessions the learned Judge said:

"I have examined the records of the past year, and I am glad to be able to tell you, as you will be glad to hear, that the amount of crime in the county and city of Waterford investigated in this Court during the year 1887 is very light—I may say insignificant. It consists of only 15 cases of the ordinary nature which require no comment from me, and considering that the population of the county and the city at the last census was 112,768, the number of 15 cases may reasonably be called small. But, gentlemen," added the learned Judge, "you have no reason to pride yourselves in this county on being exceptionally free from crime. I am, as you are aware, County Court Judge for two other counties, Cavan and Leitrim, and I am sorry to tell you that the record in Waterford, light as it is, is the heaviest of the three. In Cavan, with a population of 129,000 people, there were only 14 cases; while in Leitrim, with a population of 89,000, I had only 11 cases returned for trial. The total of the three counties is 40 cases, and it may be observed that the cases returned for trial to Quarter Sessions do not represent the criminal state of the county. I have also obtained the number of cases returned for trial to the Assizes of each county, and I find they are fully as"———

THE CHAIRMAN: Order, order! I do not see how that is connected with this Vote.

MR. P. J. POWER: I am endeavouring to connect it in this way: I wish to prove that there is little or no crime in the county, but that, owing to the representations of these Stipendiary Magistrates that there is a good deal of crime, we are deprived of the ordinary privileges of a Constitutional people. I will not much longer dilate upon this subject, but I should like to draw attention to the fact that, owing to the representations of these Stipendiary Magistrates, many people who are returned for trial by these Magistrates are drafted to Belfast and elsewhere to be tried. I wish to prove that there is absolutely no need for the services of the Stipendiary Magistrates. So far from repressing crime, they stimulate it. I should like to quote some further remarks by this County Court Judge with regard to how the juries do their duty. He said—

"I have made an examination of the criminal statistics of England and Scotland, and I find, strange to say, that the rate of convictions to committals in Waterford bears exactly the same proportion as it does in England and Wales, while in Leitrim the percentage of convictions as compared with committals is 82, and that is a greater percentage than is to be found in any part of Great Britain."

Owing to the representations of the Stipendiary Magistrates we have been called upon in Waterford to pay a sum of over £800 for special police purposes. Now the principal Stipendiary Magistrate in my district is Captain Slack, one of the best men to ride to hounds in the South of Ireland, and that is his principal qualification for the post he holds. How does he use the extra police which, owing to his representations, are drafted into this part of the country? Many hon. Gentlemen, I know, are fond of the sport of fox-hunting, but they wish to enjoy it in the ordinary way with the concurrence of the farmers and the people. But the Stipendiary Magistrates in my part of the country carry on their sport only through the assistance of these extra police, and there has hardly been a hunt lately in that part which was not followed by the police on outside cars. I think very few hon. Gentlemen sitting in this House would care to carry on their sport under such humiliating conditions. They would prefer to hunt over the land with the concurrence of the farmers and of the people. I may add that the Marquess of Waterford has never consented to hunt under these humiliating circumstances. It is only since he left, and since these Stipendiary Magistrates have been left to themselves that the hunting has been of this nature. In conclusion, allow me to say in regard to the suggestion which is often made, that the same law prevails in England as in Ireland, that I foresee one great difficulty with which we shall have to contend when we obtain the management of our own affairs, and

that difficulty is that we shall have to wean the people from the idea that the law is not even-handed, for owing to the administration of these Stipendiary Magistrates no one can possibly believe that justice is even-handed in Ireland.

MR. WADDY (Lincolnshire, Brigg): I desire to state to the House not mere theory, but, as far as I am able to do so quietly, I desire to describe what I myself have seen in Ireland, and I do so because one of the difficulties we are in in this House is this, that whenever any facts are stated or are contained in a question asked from these Benches, the answer we are invariably met with is, "According to my information it is not so." What that information is we can never ascertain, and we can, therefore, only state here over and over again, upon our honour as English gentlemen and as Members of this House, that which is within our knowledge. We believe that the right hon. Gentleman the Chief Secretary is often deluded by the information given him, and that he publishes to the country reports which are absolutely false. This is not a wholly financial question which we are discussing; it involves an important principle connected with the system of Resident Magistrates, who are, after all, a necessary part of a system which is bad as bad can be. I am not prepared to find so much fault as some people with the Government for having Resident or Removable Magistrates; they could not get on without them. Of course, if they were carrying on Constitutional Government they would not need such weapons as these. Let us look a little at the details of this Estimate. I presume we are dealing with the items under letters D, E, F, G, and H on page 311 of the Estimates. If so, we are in this position. We have, first, Executive officers, then we have Magistrates, and both for the Executive officers and the Magistrates you are asking not only salaries and incidental expenses, but you demand also travelling expenses for Magistrates whom you call Resident Magistrates, and who naturally would not be expected to need much in the way of travelling expenses. But, as a fact, they are not Resident Magistrates; they are Magistrates sent about from one part of the country to another for the special purpose of turning the regular, the recognised, and the legally appointed Magistrates out of their seats, in order that they may do the special work for which they are appointed, and for which they are supposed to be qualified. Why do the Government send the men up and down the country in this fashion? Why do they take two gentlemen far away from their homes to do this work? Why do they not trust it to the people on the spot? If it is because they must have men of superior capacity and with a most profound knowledge of the law, persons well acquainted with the natures, feelings, and idiosyncracies of the people amongst whom they live—if that is the reason for the appointment of these Magistrates then we can understand the action of the Government. But let us look at the qualifications of these men. There are 76 of these officials. Five of them are described as practising barristers, how much practice they ever had I do not know. In addition to that six others have been called to the bar; that they may well have been and not have got much farther. At any rate, I will assume that they got some knowledge of law before being called to the bar. Now these 11 are all out of the 76 who can be said to have had any definite and distinct legal training for this work for which they are supposed to be so specially fitted as to justify their being sent rampaging up and down the country, and turning the proper Magistrates out of their seats. 13 others of these Magistrates had been in the Commission of the Peace. Two of them had modestly fitted themselves for this work by having had previously no vocation at all, three had been specially prepared by occupying positions in connection with the collection of taxes, 27 were broken down failures from the Army, Navy, and Militia, and 22 had been in the Constabulary, thus making 49 militiamen, policemen, soldiers, and sailors.

ADMIRAL FIELD (Sussex, Eastbourne): Do not say sailors.

MR. WADDY: I am not at all surprised to hear an hon. and gallant Member who is such an ornament to his profession say, in a piteous and beseeching way, "not sailors." Of course, they are not such sailors as he commanded; they are the failures. Yet this principle of selection is

still going on. I find on page 23 there is a very singular entry. It is—

"Allowance to four County Inspectors at head-quarters of Divisional Commissioners, £50 per annum each, and two ditto at 10s. per day each when acting as Divisional Magistrates in the Northern and Western Divisions."

This is not very clear, but it is not the policy of the Government to make these things clear. All I can say is that there exists a disgraceful system which must produce disgraceful results. We know beyond all possibility of doubt that the travesty of justice which takes place in this country of Ireland is simply and absolutely disgraceful. It is quite possible that some of these Magistrates desire to do what is right and proper, but it is difficult to have faith in some of them. What took place at Kilkeel only the other day? There had been a series of evictions carried out in the immediate neighbourhood, and a summons had been issued—rightly, I dare say—by the police against those who had been defending their houses. Well, some of the people imagined that they had ground of complaint against the police, and they consequently applied to two Magistrates to issue a summons. The application was refused, one of the Magistrates saying he was present at the time the offence was alleged to have been committed; he had as much to do with it as anybody. He could scarcely be expected to issue a summons against persons who had been acting with him. He, therefore, suggested that the application should be made to another Magistrate. This was done, and the summonses obtained. But when they came on for hearing the police did not attend. Of course, had an Irish Member of Parliament so acted he would have been arrested. But with the police such conduct did not matter. The cases stood over, and at the adjourned hearing two Resident Magistrates put in an appearance, presumably on the ground that the local justices were not qualified to or justified in trying offences under the Crimes Act. When the summonses came on a solicitor stood up and said he had instructions from Dublin Castle to protest against the cases being gone into. He was asked upon what ground, and he exclaimed, "What! put the Constabulary on their trial? It is monstrous and ought not to be allowed." That reason, however, did not seem quite satisfactory even to a Resident Magistrate, and accordingly an effort was made to find another. The summons itself, which was legally issued and properly signed, was examined, and the presiding Magistrate said, "It ought to have been obtained in this Court." The explanation was tendered that it was applied for, but on the suggestion of one of the Magistrates the application was withdrawn and made in another Court. Yet the Resident Magistrate pretended to believe that this afforded a sufficient reason for not calling on the constabulary to answer the charge. He said he should dismiss the summons. It was pointed out that he must give the grounds for dismissal, but he declined to do that, and simply wrote upon the summons the words, "No rule" or "No order." Not even a witness was sworn, nor was the prosecuting counsel heard. Is that even-handed justice? Now it appears to me that the ground of complaint against the police was a perfectly good and satisfactory one. It was this, that at the scene of the evictions there were two women living, both bearing the same surname, and the battering ram was used by the police on the door of the wrong woman's house. She naturally objected and asked for the summons. If that had been heard it may have been that the Magistrate would have deemed a small fine sufficient, or even the payment of the damage actually done, but the Court refused to hear the summons, and I say that refusal was a denial of justice which no lawyer, and indeed no man of sense and honesty will attempt to defend. Now that is not a solitary case, such things occur in every direction. I have stated the facts calmly and deliberately and without colouring, and I invite an answer. These people were poor people and they could not afford to appeal. You are doing in Ireland that which is most fatal to be done in any country. You may tyrannise over people and yet not do a fatal wrong, but the one thing which must be fatal to that peace between those two countries is this: if you once saturate the people of Ireland with a conviction, that not only you do not care for them, but that you deliberately poison the fountains of justice and refuse them their ordinary

rights in a Court of Justice, it will be impossible to preserve peace. By giving the people cause to distrust your administration of justice—as I am sorry to say you are doing—by this system of appointing Resident Magistrates who are utterly unfit for the work, but who are at your beck and call, and do not hesitate to say openly in Court that they are specially sent to try particular cases—you are preparing for yourselves or for others a harvest of hatred which may become far more like a revolution than anything which, thank God, we have seen during the last 20 years.

*Mr. P. J. O'BRIEN (Tipperary, N.): On a recent occasion I attempted to bring under the notice of the right hon. Gentleman who is responsible for the maintenance of law and order in Ireland a case of cruelty, hardship, and injustice perpetrated on one of my constituents by a gentleman who, unfortunately for them, occupied a position of Resident Magistrate; and on that occasion the right hon. Gentleman gave a distinct denial of the facts I laid before him. I now intend, Mr. Courtney, to go more fully into the case, in the hope that I may still be able to get some redress. The case I refer to is one which was tried before Colonel Waring and Mr. Meldon at Cloughjordan, County Tipperary, and it was a charge against a trader named O'Reilly, who was charged with using violence and intimidation towards one Thomas Fox, an emergency bailiff and caretaker, who was at the time in charge of a farm lately in the occupation of Mrs. Angelina Moroney and others. Mr. George Bolton, who generally takes charge of prosecutions in this county, was present, and in his statement on behalf of the Crown he said—

"O'Reilly was manager of his father's public-house, had been for some time, and had entire control of the business."

He continued:—

"When this man Fox went into the shop he called him a blackguard and a bailiff, and shoved him from the house, using a considerable amount of violence. I am very sorry that this should have occurred, as this has been in the past a most peaceable district. In fact, the most peaceable portion of the county. But this is no excuse for the conduct of the defendant."

John Fox was then examined and deposed:—

"I am a Sheriff's bailiff; I reside at Thurles; I was at Coolnagown farm on the 21st May, when the Sheriff got possession, and I was placed there as caretaker; I remained there until the 5th July, on which day I came into Cloughjordan to make purchases; I went into the public-house of Michael O'Reilly; I asked him for a bottle of porter; 'I am engaged,' said he, 'call again in an hour's time; I went away then and returned in an hour's time" he was then standing behind the counter; I asked him for a bottle of porter, he said, 'What brought you in here, you scam;d you blackguard, you bailiff?' he called me a ballad singer, too.—Mr. Nolan: May be you are a ballad singer.—Witness (continuing): He came from behind the counter and caught me by the breast and shoved me out; he then gave me two boxes of his clinched fist on the breast; I am not aware of any cause for this except that I am a Sheriff's bailiff and acting as caretaker over those lands; Constable Farrell was in the shop looking on; I then went to the police barrack; the defendant followed me over; he repeated the names again which he called me in the shop, and said if ever he caught me there again he would kick me out; I was never a ballad singer; I earn my living honestly.—Mr. Nolan: That is a slander on the fraternity of ballad singers."

Fox was then cross-examined by Mr. Nolan, solicitor for the defence, and I think I cannot do better than quote the newspaper report. He said:—

"I am living in this locality since the 21st May, and no person molested me, except the shopkeepers who insulted me. It is a peaceable and respectable locality. I am Sheriff's bailiff for eight years; I was a basket-maker up to that; I was not in jail.—Mr. Nolan: Did I not see you in the dock myself? You did, I was there for drunkenness, I swear that I was not drunk more than five times; I was in Nenagh jail several times; I was never in Clonmel jail; it is ten years since I was in jail; I was fined 6s. 6d. in Dundrum for being drunk; the Sheriff brought me here; I never spoke to Mr. O'Reilly in my life until the 5th June; he was leaving the shop with a book in his hand; when I left Mr. O'Reilly's I did not go into another public-house during the hour; it was not to get up the prosecution against him I went in; I went there for porter; my demeanour was not offensive to him.—Mr. Nolan: Did he not say you had a great deal of impertinence to address him the way you did while he was engaged transacting business with a commercial gentleman? On my oath he did not.—Witness (continuing): He said that if there was nobody else to do away with me he would. There was a policeman there.—Mr. Bolton (re-examined): I went into two other houses that day for tobacco; I tendered the money for the goods and they refused supplying me.—Mr. Nolan: My client is not charged with conspiracy.—To Mr, Nolan: —I got no porter that day in town.—On your solemn oath now did you? I do not want to catch you. I did, I got one pint of porter at the public-house next the barrack. It was in the evening."

This concluded his examination, and

Constable Patrick Farrell was next examined by Mr. Bolton. He said:—

"I am a constable in the R.I.C. stationed at Cloughjordan. He then handed in two copies of the *Dublin Gazette*, one the 23rd July, '87, and the other the 16th July, '87, containing the proclamation of the County Tipperary and notice thereof under the Criminal Law Procedure (Ireland) Act, '87. I was in O'Reilly's public-house on duty on the 5th June; I saw John Fox going in there: I saw Michael O'Reilly in the house; he was outside the counter to the best of my recollection; Fox asked for a bottle of stout, but did not get it; he asked Michael O'Reilly for the stout. Mr. O'Reilly put his two hands on his shoulders, and told him to leave the shop, that he was a scamp or a bailiff, or something like that, and that he was interfering with his business. Fox was then quietly shoved out, and I followed him to the door. Mr. O'Reilly seemed to be excited; I followed him to the door and saw him go in the direction of the barrrck. In my opinion he asked for the porter in a rather peremptory tone. There was nothing else disorderly in Fox's conduct.—To Mr. Nolan: It was about five o'clock p.m., when Fox came in, and he demanded to get porter in a peremptory manner. I would not ask it the same way myself. It would excite a man the way he asked it; Mr. O'Reilly did nothing, only put his hand on his shoulder and ordered him out; I was stationed at Thurles and I know Fox's character, which is a bad one; I heard him say that Mr. O'Reilly came at him like a lion. There is not one word of truth in that; he did not strike him; he did not make use of the words—'I will do away with you,' which is unknown to me."

Sergeant Shumacker was next examined, and he deposed:—

"I am stationed at Thurles; on the 5th June Fox came to the barrack to make a complaint; O'Reilly followed him and said he was a scamp, a blackguard, and a ballad singer.—To Mr. Nolan: I do not know about his being a bad character; I found him in company with a bad character woman one night when I was stationed at Thurles; he was often up for drunkenness; Mr. O'Reilly came to the barrack to complain of his conduct.

Therefore the evidence of the prosecutor in this case was most distinctly contradicted by the testimony of the police. But, in addition to that, we have the evidence for the defence, for Mr. William O'Meara, Toomavara, was examined by Mr. Nolan, and deposed:—

"I was in Mr. O'Reilly's public-house on the 5th June; he (Mr. O'Reilly)) was transacting business with a commercial man, when Fox came in and asked for porter in an authoritative manner; Mr. O'Reilly told him he was engaged; Fox gave Mr. O'Reilly some back answer, and he (Mr. O'Reilly) pushed him out; I saw Fox go to the barrack; I did not hear Mr. O'Reilly say he would do away with Fox before he shoved him out."

The Magistrates retired to consider their decision, and after a short absence returned to Court, when Major Waring said:—

"We take into account the peaceable condition of the district, and will require the defendant to give bail, himself in £40, and two sureties in £20 each, or in default one month's imprisonment.

The consequence was, Mr. Courtney, that this unfortunate man, who was the only person in charge of the establishment at the time, his aged father being very sick, had to decide whether he would go to gaol, and shut up the shop with a probable result of bankruptcy, or whether he would give bail. He gave the bail, and I now ask the right hon. Gentleman whether, having heard the true facts which I have narrated, and what I believe to be a verbatim report of what occurred at the hearing, he will give his attention to the case, and take from this unfortunate man the stigma of having had to give bail when he had committed no offence whatsoever? Before I sit down, I wish to illustrate still further the class of gentlemen who act as Resident Magistrates. The circumstance I now desire to bring under the attention of the Committee occurred in the town of Nenagh, where two priests were charged before the Removable Magistrates under circumstances which naturally excited intense indignation in the district. The town, on the occasion of the trial, was crowded with people from the surrounding districts. It so happened that as usual the worst possible man was put in charge of the Constabulary on that occasion. Major Waring was placed in authority, and I propose to endeavour to describe his conduct on that day. He was observed riding up and down the town from early morning, trying to find out some excuse for batoning the people. Eventually, in the evening, when he found that the conduct of the people afforded him no opportunity of assaulting them, he detailed a force of cavalry, and ordered them to parade up and down the roadway, thereby driving all the people on to the footpaths, and while they were crowded on the footways, he (Major Waring) gave orders to the Lancers to charge on to the defenceless people, and had they not taken refuge in the shops adjacent bloodshed, if

not murder, would have been the result. This, Sir, is the conduct of one of the men in whose hands the Government place the lives and liberties of our people. It is only natural that such conduct should excite general indignation, and I have brought this case before the Committee, in the hope that it will have some effect upon the Chief Secretary, and influence him to relieve Mr. O'Reilly from this injustice done him—as also to modify his general course of action, namely, oppression of the Irish people.

*Mr. H. J. WILSON (Holmfirth, W. R., Yorkshire): I wish to state one or two things that have come under my observation in Ireland. I was in Ireland at the time my hon. Friend the Member for North Roscommon (Mr. O'Kelly) was tried, and, without going into the details of the charge against him, I may say he was charged with conspiracy, and, among other things, evidence was given of meeting his friends, and it was suggested by a policeman who had been looking through a window at the time, that the hon. Gentleman appeared to be taking tea with some of his constituents. I believe the hon. Member had given advice to his constituents, such as, I hope, I should have the courage to give to mine under similar circumstances. But the particular point to which I wish to direct attention is, that the constable who gave the evidence read from a small bit of paper the names of the persons who, he said, were present at one of the meetings the hon. Member had addressed, and when asked whether he made that list out at the time he stated he had not. He was then asked when did he put the names on the paper, and he said on the previous evening. When asked what he had copied it from, he said from his book. Where was his book? was the question next put to him, and he replied, it was at the barracks. An appeal was then made to the Bench that the constable should be ordered to produce the book, and the Bench directed that it should be produced on the following day. When the next morning came, and the book was called for, the County Inspector came forward and said he had received a telegram from Dublin Castle stating that the book was not to be produced. Now, I have no great knowledge of the law; I have not specially studied it; but I know something of the practice of the Borough Bench of Sheffield, on which I have the honour to have a seat, and I have also consulted persons of experience in this country, and I have found no one who has any idea of the possibility of such a thing occurring in England, as that a Bench of Magistrates should order a book to be produced and that it should be refused by orders from any authority. Though, of course, in this case, where the Magistrates were removable by the authorities at Dublin Castle it may easily be understood that they would not feel inclined to disobey the orders of their superiors. But I ask what would any Bench of Magistrates in England say if they were dealt with in a similar manner, no matter where the order came from? I have looked at one or two of the manuals that have been published for the use of police officers, and I find that in the manual written by Major Bicknell and which is very extensively used by the police, it is stated that—

"If a constable refers to his notes in the witness box, it is competent to the prisoner's counsel to examine the note-book and cross-examine him on its contents."

Now, I should like to know from the right hon. Gentleman the Chief Secretary whether such a procedure as I have described is justified by the Code in use among the Irish police as to which I have already vainly endeavoured to obtain information from him? If that be the case we ought to know it. I asked Mr. Wellington Colomb, who is a high authority in Dublin Castle, whether this alleged right on the part of the Irish Executive had ever been brought before the higher courts, and he told me he was not aware that it had, and, therefore, was unable to refer me to anything of the kind; but, he added, it would be exceedingly inconvenient for the Executive to produce such books. No doubt it would; but, I said, in England we do not consider the convenience of the Executive; we only consider what is just to the accused. I wish to mention another matter, and would remind the Committee that a straw will show how the wind blows. I allude to the way in which the Courts in Ireland are arranged. The police stand in a row, with their helmets on, between the Bench and Counsel, and the people, who,

although deeply interested spectators, are almost blotted from sight and almost equally cut off from sound—a thing which we in this country would be very sorry to see. I may also point out that there is in this Vote a very large sum charged for the travelling expenses of the Resident Magistrates. No less than £17,000 is put down under this head, one item of £8,200 being for travelling allowances in lieu of forage, and the other £8,800 for travelling and personal expenses. It seems to me that this is a large sum of money for these gentlemen to spend in running about the country, and as I cannot understand it, I should like to have some information from the right hon. Gentleman the Chief Secretary as to why these charges have run up so enormously. I find that though the salaries have actually fallen since 1886-7 from £43,000 to about £40,000, and the allowance in lieu of forage remains the same, the charge for travelling and personal expenses has increased from £4,500 to £8,800. I should be glad of an explanation of this. Besides the cost, look at the enormous waste of time that must take place while these Magistrates are racing up and down the country. I find Mr. Irwin, R.M., who is chiefly engaged about Limerick and Clare, going off by Cork and Bandon, 109 miles, to Ballinspittle, and then back again 159 miles to Miltown Malbay, and then back to Cork again. Then there is Mr. Cecil Roche. In 1886 he was making violent partisan speeches in the constituency in which I live. Now he is dispensing what is called "justice" in Ireland. I trace him travelling from Castleisland to Ennis, and afterwards back again to Killarney. Each of these journies is rather more than 100 miles, which is not serious on a good English railway, but the trains are so timed on those Irish lines that each of those journies would occupy from 8 in the morning till 5 or 6 at night, and thus he must spend three days to do one day's duty. This seems to show bad organisation and arrangement. A great deal of the time so spent might be economised, and if this were done a smaller number of Magistrates would suffice. Of course, the expenditure and loss of time on the part of the Magistrates also to a considerable extent applies to the police. I do not know how many constables have to attend upon the Resident Magistrates when they travel; but I remember when I was at Ballinasloe seeing a Resident Magistrate there attended by a little guard of honour of the constabulary, one man taking his hat-box, and another his trunk, while others stood admiringly round the door as he entered the omnibus. If, therefore, all these expenses were added together they would make a very considerable sum. I will, however, minimise my remarks. [*Cheers from the Ministerial Benches.*] I shall not bring my remarks to a close because of those cheers, which would rather induce me to go on. [*Cries of* "Go on" *from below the Opposition Gangway.*] I do not wish to go on. All I will say in conclusion is that, I want to know from the right hon. Gentleman the Chief Secretary, first, as to why and how, if the law be the same in the two countries, a telegram from Dublin Castle privileges a note-book and prevents its being produced; and, secondly, why the Resident Magistrates do not stay and administer the law in their own districts instead of running about all over the country at an immense cost to the taxpayers?

*MR. A. J. BALFOUR: The hon. Gentleman who has just sat down has asked for information on two specific points and with regard to one of those points—namely, the travelling expenses of the Resident Magistrates, I think the same point was taken up by the hon. Member for Lincolnshire, and I hope to be able to offer explanations which, if not wholly satisfactory to them, at any rate ought to satisfy the Committee. A criticism was passed by the hon. Gentleman who moved the reduction of the Vote on the fact that under the present system in Ireland executive and judicial functions are vested in the same individual. Now, it is the particular desire of the Government to prevent in any case the same Magistrate having to carry out both official and judicial functions in respect of one transaction, and in order to effect that object it may obviously be necessary to bring into the district of one Resident Magistrate another Resident Magistrate who has had nothing to do with the case on which he is asked to adjudicate.

An hon. MEMBER: No.

*Mr. A. J. BALFOUR: Well, it is a general rule. Of course, the Magistrate who is brought in from the outside has to travel, and he sometimes has to travel by branch lines, a fact of which complaint is made on the ground of the length of time consumed. The other point made by the hon. Member had reference to proceedings of which he appears to have been an eye-witness on the occasion of a trial, proceedings which he has said are without example in this country. Now, what were those proceedings? A certain public document was regarded as privileged, and was not therefore produced in Court.

Mr. E. HARRINGTON: No, no; it was not a public document, but the policeman's notes about the case.

*Mr. A. J. BALFOUR: The report which appeared in the *Freeman's Journal* states that Mr. Carson said he found that those books were confidential documents for the use of the superior officer, and were therefore privileged.

Mr. LEAMY: What was the date?

*Mr. A. J. BALFOUR: What does it matter about the date? It is a report of the particular case to which attention has been directed and appeared in the *Freeman's Journal*.

Mr. LEAMY: Read the whole report then.

*Mr. A. J. BALFOUR: Does the hon. Gentleman really expect me to follow the example of the hon. Member who sits near him and read the whole of this report?

Mr. LEAMY: Yes; I expect you to read the whole of it.

The CHAIRMAN: Order, order; the hon. Gentleman is not entitled to interrupt. He must reserve what observations he has to make until he addresses the Committee.

*Mr. A. J. BALFOUR: The hon. Gentleman opposite (Mr. H. J. Wilson) gave me no notice that he intended to call attention to this matter, and when it was referred to I immediately endeavoured to obtain the best information in my power, and I believe the information I have obtained refers to the case which was alluded to by the hon. Gentleman. As I have stated the report appeared in the *Freeman's Journal*, and the words were that Mr. Carson said he found that those books were privileged documents.

Mr. LEAMY: You are only stating what Mr. Carson said.

*Mr. A. J. BALFOUR: That was the contention of counsel in the case, and——

Mr. LEAMY: I rise to a point of order. Is it not a fact that——

The CHAIRMAN: Order, order!

Mr. LEAMY: I rise to order.

The CHAIRMAN: Order, order! the hon. Gentleman is quite under a misapprehension as to what is a point of order. It is not a point of order to correct a statement made in the course of debate. The hon. Gentleman must reserve what he has to say until the proper time.

Mr. W. REDMOND (Fermanagh, N.): I wish to ask you, Sir, whether, when an hon. Member rises in his place and says he wishes to speak to a point of order, he is not entitled to state what that point of order is before you stop him?

The CHAIRMAN: If the hon. Gentleman says I have misapprehended what he rose for, that is so.

Mr. W. REDMOND: The hon. Gentleman has not raised the point yet.

*Mr. A. J. BALFOUR: I can only say on the question of whether an hon. Member can rise on the plea of order whenever he wishes to correct a statement which he deems to be inaccurate, that if I were to adopt that practice, then I should be so constantly rising to points of order that hon. Gentlemen opposite would not be able to get through many of their speeches without interruption. Turning again to the point we were discussing before the hon. Member interposed, I will read not merely the remark of Mr. Carson but that which precedes it in the *Freeman's Journal*, which is to the effect that the police constable was recalled and cross-examined as to the notes he took on the night Mr. O'Kelly was at the place mentioned and asked to produce his note-book. Mr. Carson objected that this was a confidential document, the entries in which were made for his superior officers, and that it was therefore privileged. Now, this is an incident which the hon. Gentleman opposite thinks could only happen in Ireland and for which there is no precedent. The hon. Gentleman is clearly deriving his legal knowledge from what happens on the Sheffield bench—doubtless an excellent though narrow legal school—but I can assure him that for official

documents to be regarded as privileged is a perfectly familiar practice in the English Courts.

*MR. H. J. WILSON: But that does not extend to a policeman's pocket-book.

*MR. A. J. BALFOUR: So much for the two points dealt with by the hon. Gentleman. I now pass to the most important speech in this debate. I refer to the speech delivered by the hon. Member for York (Mr. A. Pease) who moved the Amendment for the reduction of this Vote. Although that speech was delivered to an almost empty House the hon. Gentleman went into a great many important and interesting circumstances with which it will be proper that I should attempt to deal in some detail. The hon Gentleman appears to have derived his impressions as to the Magistrates of Ireland from the speech of a certain Judge Fletcher delivered in the year 1814. I have not the least doubt that that learned Judge made remarks which were extremely appropriate to the occasion, but they are certainly not appropriate to a Vote for the Irish Resident Magistrates at the present day, inasmuch as they were delivered more than 70 years ago, before the system of Resident Magistrates was invented, I think the hon. Gentleman should have made himself better acquainted with the institution he attacks, before quoting the remarks made by a Judge who lived in the year 1814. The hon. Gentleman was, no doubt, perfectly *bonâ fide* in relating the anecdotes he has given to the Committee; but I think he went to Ireland in a very credulous spirit. The hon. Gentleman does not seem to have taken sufficient pains to sift the evidence, and that is all the more serious, when I reflect on the kind of charges he has hurled against the Magistrates. The hon. Gentleman's manner was as quiet as that of any speaker I have ever heard in this House, but his language was as violent as any I ever listened to. There is hardly any crime of which he did not accuse the Resident Magistrates.

*MR. A. PEASE: I directly repudiated from the beginning to the end of my speech that the attack I made was against the whole body. I attacked the system under which they are appointed and the manner in which it is worked by the Chief Secretary.

*MR. A. J. BALFOUR: I fully acquit the hon. Gentleman of the charge of attacking the whole body, but he did undoubtedly hurl charges against members of that body. He accused them of grossly corrupt administration of justice, and I say that that is not an accusation to be lightly made against a judicial body, and that the hon. Gentleman ought to make himself better acquainted with the facts before coming here to prefer such a charge. He stated that these Magistrates acted on suggestions from the central Government, and upon intimations received from Dublin Castle. Sir, not only is that charge absolutely false [*cries of* "Oh," *from the Opposition Benches*]—I say, absolutely false, but the hon. Gentleman had not a particle of evidence in support of it [*renewed cries of* "Oh!") not a single particle, I say that charges of this kind, which involve not merely the honour of the Resident Magistrates, but the honour of every official connected with the Government of Ireland, is not one that ought to be made lightly by one who occupies the position of the hon. Member. There are, no doubt, other hon. Members of this House from whom accusations of this kind fall so glibly that when making them they hardly realise the gravity of what they allege; but I am unwilling to see the hon. Member associating himself with those to whom I refer, or adopting the reckless methods with which they are familiar. The hon. Gentleman has made himself very merry over the qualifications of these Resident Magistrates, and he read out from a printed Return that has been laid before Parliament the various avocations which those Gentlemen pursued before they were placed in the offices which they now hold. Now, the vast majority of the Resident Magistrates have not been appointed by me, nor by a Conservative Government, but by a Radical Government. The House may take it from me that the enormous majority of these men, whose qualifications the hon. Member for York has denounced, were appointed by those of whom that hon. Member is proud to reckon himself the faithful follower. It appears to me that if we adopt the same method of procedure with regard to Members of Parliament

as has been adopted by the hon. Gentleman respecting the Resident Magistrates some very singular deductions might be made. I presume that the qualifications of Members of Parliament are not less important than those of Resident Magistrates. In their hands lies not merely the whole legislation of the country, and a great deal of its administration, but apparently also the revision of all the judicial sentences passed in Ireland; and therefore the qualifications required in them are not smaller than those required for a Resident Magistrate. Well, if I were to take the book with which we are all familiar, and to read out the antecedents of the House generally, and treat them in the manner the hon. Member treated the antecedents of the Resident Magistrates, I could, if it were worth while, bring out more ridiculous results than the hon. Gentleman has done. As the hon. Member for York has thought fit several times to quote the opinions of the Superior Courts, I may call his attention to the opinion on this very point of Mr. Baron Dowse, who said yesterday:—

"As far as I am concerned I would rather have a Resident Magistrate with whose legal capacity the Lord Lieutenant is satisfied than a Member of Parliament with whose legal capacity nobody is satisfied."

I think there is a great deal of wisdom in the learned Judge's remark. Then I pass to the next point made by the hon. Member for York. The hon. Gentleman, to prove his case against the Resident Magistrates, quoted a private conversation which he had with one of that body, whose name he did not give. I do not know what view that Magistrate may have of the use to which the hon. Gentleman has put a private conversation which had all the privileges that ought to appertain to private conversation, which obviously was never intended to be quoted in this House, and the accuracy of which there is no opportunity of testing if the hon. Member's version of it is incorrect. I am sorry that the hon. Member for York of all persons should have lent himself to a proceeding of that kind; and the more so because on the face of it his account of the conversation appears to be inaccurate, since he said that the Magistrate told him that he had put persons in prison for three or six months for the offence of trying to stop other persons from hunting over their land. That is an extravagant and absurd statement. It is perfectly legal to prevent people from hunting over your land; and we are to be told that that ridiculous sentence was actually given, and that it was never thought worth while by anybody to bring that sentence before a Superior Court and have it quashed and the Magistrate who passed it discredited. The hon. Gentleman also commented with much severity on the light tone in which the Magistrate described having escorted to gaol certain prisoners who were sentenced to 12 or 18 months' imprisonment. Why, those men who were sentenced to 12 or 18 months' imprisonment were not tried before a Crimes Act Court, as the hon. Gentleman appears to think.

*MR. A. PEASE: I said they were escorted to Sligo, and I ought to have added to undergo their trial at the Assizes.

*MR. A. J. BALFOUR: I confess I rather fail to understand what the accusation is. Apparently we are asked to condemn absent men, Resident Magistrates in Ireland, because one of their body in a private conversation did not speak with sufficient gravity of the duty of escorting to their trial certain men who were afterwards condemned by an Irish Judge and jury to 12 or 18 months' imprisonment for a very brutal and horrible offence.

*MR. A. PEASE: I am unwilling to interrupt the right hon. Gentleman; I did not use the conversation which took place between the Resident Magistrate and myself as in any way an accusation against that particular Magistrate, or against Magistrates in general, but as an illustration of the disposition and attitude towards the people of many of those gentlemen.

*MR. A. J. BALFOUR: I entirely accept the hon. Gentleman's explanation; but I confess my inability to see how that affects the argument. We are asked to condemn the Magistrate because he did not speak in a sufficiently solemn tone about escorting men to be tried for a very brutal offence before a Judge and a Jury. Surely this is sufficiently absurd. Then the hon. Gentleman went on from generalities to discuss particulars, and the particular

subject which he chose for discussion was the merits of Mr. Cecil Roche. This, he said, was the worst case of Irish misgovernment. Let us examine the case. The hon. Gentleman described Mr. Cecil Roche as an itinerant agitator. He did not state, however, that Mr. Roche was appointed and twice reappointed by Lord Spencer as Sub-Commissioner under the Land Act, and we know on the authority of the right hon. Gentleman the Member for Bridgeton (Sir G. Trevelyan) that in selecting Sub-Commissioners, Lord Spencer had special regard to the judicial fitness. Then the hon. Member mentioned as an example of the iniquity of Mr. Cecil Roche the sentence passed upon the hon. Member for Clare (Mr. Cox). The sentence of four months was passed by two Magistrates, of whom Mr. Roche was one. The hon. Member for Clare appealed to the County Court Judge, who diminished the sentence to one month, and made him a first-class misdemeanant. This is said to be the worst case. But, amazing as it may seem, the hon. Gentleman has not taken the trouble to examine what passed at the trial before the County Court Judge. In diminishing the sentence the County Court Judge said:—

"The Magistrates, when the sentence was originally inflicted, were probably justified by the state of the country at the time in imposing the term of four months."

In view, however, of the altered state of things, he reduced the sentence. So that the County Court Judge entirely acquitted the Magistrates of having in any way exceeded the duty imposed upon them. This is one of the worst cases and one of the worst Magistrates which the researches of the hon. Gentleman have enabled him to discover. Then there is the case of the hon. Member for Kerry. I do not intend to discuss that case again, for we had a long Debate upon it on the Address, but I would remind the hon. Member of this. His accusation is that Mr. Cecil Roche exceeded his magisterial duty in passing the sentence of six months on the hon. Member for Kerry. It was an appealable sentence, and if the hon. Member had supposed that the County Court Judge would reverse the sentence of this unjust Magistrate no doubt he would have appealed. The fact that he did not is a conclusive proof that Mr. Roche was not acting upon any inspiration derived from the Castle, but that he passed a sentence which, in the opinion of the hon. Member for Kerry and his Friends, would have been upheld by the County Court Judge on appeal. The third example given by the hon. Member for York had nothing whatever to do with the judicial work of Mr. Cecil Roche, and I do not know how it is relevant to the Vote before the Committee. It appears that Mr. Roche and Colonel Turner were asked to subscribe to some races in Kerry. They declined to do so, and the reason given was that the hon. Member for Kerry (Mr. E. Harrington) was on the Committee, and in their opinion he had used, and was in the habit of using, in his newspaper language against them and the police which made it impossible for them to take an active part in supporting any institution with which the hon. Member was nearly connected. That is not a subject on which I think it my duty to pronounce any opinion, because it is not connected with the discharge of official duties. But to say that they were not to give a vote for Resident Magistrates in Ireland because Mr. Cecil Roche and Colonel Turner objected to subscribe to some races which are managed by a gentleman who in their opinion is in the habit, through his newspaper, of describing them and the police as cowards, liars, and uniformed bloodhounds I think is rather really absurd.

MR. E. HARRINGTON: I ask the right hon. Gentleman now to specify, and not shield himself behind Roche and Turner, where I ever referred to the police in the language he describes

*MR. A. J. BALFOUR: What I said I have on the best authority.

MR. E. HARRINGTON: What is your best authority? [Here the hon. Member moved in a threatening manner from his seat to the Gangway in the direction of the right hon. Gentleman, but immediately afterwards returned to his place.]

THE CHAIRMAN: Order, order! I believe the right hon. Gentleman was reading an extract from a letter. [*Cries of* "He did not," *and uproar.*]

MR. T. M. HEALY: Get Balfour to keep quiet, or else we will make him.

THE CHAIRMAN: Order, order! The hon. Member is not entitled to use such language.

MR. T. M. HEALY: He made an insulting gesture, Sir. [*Cries of* "Order!" *and* "Name!"]

THE CHAIRMAN: It will be impossible to maintain any degree of order unless hon. Members co-operate with the Chair, and attempt to restrain the feelings which they may not unnaturally entertain. I understood the right hon. Gentleman to quote the expressions of some other persons. [*Cries of* "No!" *and loud cries of* "Order!"] If it was language of his own, then undoubtedly he ought to give his authority.

*MR. A. J. BALFOUR: Mr. Courtney, you are quite right. With regard to what the hon. Member described as an insulting gesture, it was not in the least intended——

MR. E. HARRINGTON: Menacing gesture.

*MR. A. J. BALFOUR: Well, menacing gesture. [*Cries of* "Menacing and insulting."] I assure the hon. Member for Kerry that, as far as I am concerned, I have not the slightest desire to insult him by any gesture of mine. It is not my habit to insult anyone by any gesture.

MR. T. M. HEALY: We have too much of that.

THE CHAIRMAN: Order, order!

*MR. A. J. BALFOUR: What I stated to the House was said with the view of describing the motives which, I understood, and I know for a fact, did actuate the two gentlemen in question—namely, that they believed that the expressions which I have quoted to the House were used by the hon. Member with regard to them and the police, and I do not know that anything more can be said on the matter.

MR. E. HARRINGTON: I will ask the right hon. Gentleman, in fair play, to give his authority. I will apologise to you, Sir, for the heat I displayed. I do not think it is shameful of me to apologise; but allow me to explain that I understood the gesture of the right hon. Gentleman to be a menacing and insulting gesture, and that gesture I was on the point of resenting by bringing the right hon. Gentleman below the Bar. [*Loud laughter, interruption, and cries of* "Order!"] With regard to the expression "uniformed bloodhounds," if it has appeared in my newspaper those men cannot be in any uncertainty about it, for it is in print; if it appeared in a speech of mine it is in print. Where did the right hon. Gentleman see it? It is not in these gentlemen's letters, for I hold copies of those letters in my hand. I ask him, where does he get that extract?

*MR. A. J. BALFOUR: I told the hon. Member that I got the views of the two gentlemen I have quoted—Mr. Roche and Colonel Turner—on the best authority; but when I said the words "uniformed bloodhounds," "cowards," and "liars" were used in the journal which is associated with the hon. Gentleman's name, I do not think the statement is so intrinsically absurd that it should bring down upon me the wrath of the hon. Member, because hon. Gentlemen are aware that the epithet "murderer," which is even stronger than either of the expressions I have referred to has certainly been applied to me.

MR. E. HARRINGTON: I ask the right hon. Gentleman, if he wishes to establish his character for veracity, to specify the authority on which he states that I ever called the Irish Constabulary "uniformed bloodhounds," or that I ever called him a murderer.

*MR. A. J. BALFOUR: I despair of making my meaning clear to hon. Members.

MR. JOHN ELLIS: Give your authority.

*MR. A. J. BALFOUR: I never accused him of calling me a murderer. With regard to the descriptions of Mr. Cecil Roche and the police the hon. Member asks whether they had been made by him.

MR. E. HARRINGTON: What is your authority?

*MR. A. J. BALFOUR: What I stated was, that that was the impression of Mr. Cecil Roche and Colonel Turner when they refused to subscribe to the Kerry Races.

MR. E. HARRINGTON: I feel sure the right hon. Gentleman must answer me when I ask him to specify the authority on which he made that statement. I think before his goes one inch further we ought to know that. I hold in my hand copies of the letters from those men, and they have no such accusations as he has stated. If that accusation is contained in any private

telegrams or letters I ask him to rise in his place and say so. I claim that he shall not stand up in this House and——

THE CHAIRMAN: Order, order!

MR. E. HARRINGTON: Well, Sir, I am satisfied to let the House and the country judge of his veracity in this matter.

*MR. A. J. BALFOUR: Sir, if I have misrepresented the feelings and reasons of Mr. Cecil Roche, I have undoubtedly been guilty of a want of accuracy; but how have I wronged the hon. Member for Kerry? I have not misrepresented those feelings, and it is those feelings alone that are in question.

MR. E. HARRINGTON: The words! I claim that the right hon. Gentleman shall give his authority.

THE CHAIRMAN: Order, order! The hon. Gentleman is not at all entitled to make any such claim. The right hon. Gentleman has made a representation as to the state of opinion of these two Magistrates, Colonel Turner and Mr. Cecil Roche; to them, undoubtedly, he is responsible for that representation; but he is not responsible to the hon. Member so as to be compelled to verify his statement.

MR. SEXTON: In the interests of the order of Debate—[*Loud cries of* "Order!"]

MR. SEXTON (addressing Colonel Saunderson): I told you my opinion about you once before.

THE CHAIRMAN: If the right hon. Gentleman will address the Chair and complain of any specific act of disorder he will be listened to; but he must know that when he addresses an hon. Member across the House the maintenance of order is not possible. I do beg the hon. Member to address the Chair.

MR. SEXTON: When a Member who has insulted me before in this House interrupts me in a disorderly manner, it puts my patience to too severe a strain.

COLONEL SAUNDERSON: Mr. Courtney, I rise to order——

THE CHAIRMAN: Mr. Sexton.

MR. SEXTON: In the interests of the order of Debate, which appear to me to be gravely imperilled by the language of the right hon. Gentleman, to say nothing of the gesture, I humbly submit to you, Sir, that the imputation he made at the Table was this—that Colonel Turner and Mr. Roche had complained to him that in the journal conducted by my hon. Friend he described the police as "uniformed bloodhounds." I think it would be in the interests of the order of Debate, and would commend itself alike to all parties, if you were to request the right hon. Gentleman to say whether he is in possession of evidence that any such language was used by the Gentleman in question.

THE CHAIRMAN: I regret very much that such grave language should be used. [*Interruption.*] If hon. Members cannot restrain themselves it is impossible for me to go on. I regret that such language should be used; but it is used on the responsibility of the right hon. Gentleman, who is responsible, not to this House, but to the gentlemen to whom he attributes it in conveying his impression of these motives to the Committee.

*MR. A. J. BALFOUR: I am extremely sorry to have raised this storm; but I believe hon. Gentlemen will not doubt my word when I say that the last thing I should have expected was that indignation would have been exhibited at my remarks, since the violence of the language habitually used by hon. Gentlemen and the Nationalist Press is matter of common notoriety. Surely in the columns of *United Ireland* and other papers language not less violent has been freely used. Nay, in many cases language exceeding this in violence has been used, and it never occurred to me that I should be interrupting the harmony of the evening's proceedings by calling attention to it. But I pass from that to make a mild protest against the use of the word boycotting by the hon. Gentleman opposite. It is not boycotting in the Irish sense of the word to refuse a subscription of a few sovereigns to the fund of a race meeting, and, as used by the hon. Member, the phrase is misapplied, and he misleads himself and everyone who accepts his version of the facts. But I ask the Committee, in concluding a speech which has been lengthened by the interruptions to which I have been subjected, I ask the Committee, is the broad indictment brought by the hon. Member for

York sustainable? I have examined and refuted point by point the specific charges he has made, and if we survey the subject generally is there anything to sustain the hon. Member's accusation? There is a broad, simple, and conclusive test of the action of these Courts, and that is how their decisions have been treated by superior Courts. We have had every opportunity of applying this test, for there have been an enormous number of appeals. I believe in 1888 there were 201 appeals from the decisions of Resident Magistrates under the Crimes Act, and of these only 19 were reversed. In the half-year from January 1 to June 30, 1889, there were 121 appeals, and of these only 10 decisions were reversed. Therefore in 18 months from January 1, 1888, to June 30, 1889, there were 322 appeals against the decisions of the Magistrates, and in 29 cases only were the decisions altered, or only 9 per cent of the whole. I am speaking in the presence of many lawyers, and I have the Chief Baron on my side when I say that is a record that cannot be approached by any other Court of First Instance in the world. The Chief Baron has pointed out that the enormous proportion of decisions sustained by Courts testifies to an impartiality no man can doubt, and is conclusive proof that the Resident Magistrates are not open to the accusations made against them. That being so, the hon. Member for York and others were guilty of bringing forward unjust accusations against men, who, under circumstances of difficulty, imperfectly appreciated by their accusers, and of which the hon. Member with experience derived from the Sheffield Bench has no conception whatever—have carried out their duties in a manner that need make no man ashamed who has the interests of justice at heart. Technical reasons have now and then been brought up to show that the Courts ought not to have come to the decisions they did; but it has never been maintained that the defendants were not guilty of the offences with which they were charged, or that the innocent have been subjected to punishment. That being so, the House ought to reject by a large majority an Amendment which is intended to call in question the action of the Resident Magistrates in that which, after all, is the most important of their functions—namely, the pure and impartial administration of justice.

MR. LEAMY (Sligo, S.): I do not know what are the more important functions of these gentlemen, whether it is giving judicial decisions or in ordering the police to baton the people; it is not very easy to discriminate between the two functions. The right hon. Gentleman found some fault with me this evening for interrupting him while he was making a statement in respect to what was said by the hon. Member for Yorkshire (Mr. Pease) in reference to the incident that occurred on the trial of my hon. Friend the Member for Roscommon. The right hon. Gentleman was quoting from what was supposed to be a report of the trial, but he took care to read only that part which told in his own favour. Now that I do not think is a straightforward way of dealing with the House, but I suppose it is more or less characteristic of him, and his allusion to "uniformed bloodhounds" is sufficiently recent on our memories. The right hon. Gentleman said that this note-book which has been referred to was not produced because it was a privileged document, and he went on to say they are never produced. But what are the facts? On the first day of the trial the note-book was called for and the Magistrate ordered its production on the following morning. But on the following morning the book was not produced, and the reason was because in the meantime instructions had been received from Dublin Castle. Now, the Solicitor General for England, without caring to inquire into the character of this note-book, gave his assent to the statement that it was a privileged communication. But the police officer admitted that he had used the book for the purpose of refreshing his memory while giving evidence, so I maintain the counsel for the defence was justified in calling for it. I think before giving his opinion the Solicitor General might have waited till he knows what happens in an Irish Court of Justice. I do not know who is instructing the Chief Secretary now, but he appears to have a crowd of instructors legal and otherwise. But I think it will be found that my

contention is a right one. At another prosecution which took place at Castlereagh, and in which I was counsel for the defence, a policeman was ordered by the magistrate to produce a note-book under precisely similar circumstances, and the point has been raised, I believe, before Chief Baron Palles, and in his judgment a note-book of the kind was declared not to be privileged. The Chief Secretary, in referring to the speech of the hon. Member who began this discussion, complained that he had referred to private conversations which had taken place between himself and a Resident Magistrate, and the right hon. Gentleman seemed to be shocked that the hon. Member should have made use of such a conversation in the House. But what has the Chief Secretary to say in reference to a recent police circular sent round to all the police stations in the country, advising the police to seize upon innocent strangers from England and give their information of the right sort in reference to evictions? What does the right hon. Gentleman say to that? The Chief Secretary went on to say that it was quite untrue that men have ever been sent to gaol for preventing hunting over their lands. On this point I should like to refer to one instance within my own knowledge. Waterford is a great hunting county, and it used to be hunted by Lord Waterford. In the beginning of the land agitation in 1880 or 1881, the people of the county objected to allowing the hunt to go over their land, and they assembled and they did no doubt brandish sticks, and I believe some stones were thrown. Now, this was the first occasion on which the tenants asserted their right to say that no one should hunt over their land, and these men were brought up before a Magistrate charged with unlawful assembly. Of course the Magistrates were too cute to charge them with simply obstructing the hunt; they were charged with unlawful assembly, and Captain Stack, an intimate friend of Lord Waterford and other members of the hunt, sentenced the men to terms of imprisonment from two to three months. This was on Christmas Eve, and a peculiar thing in connection with this trial was that the warrants were filled up before the sentences were pronounced. The defending counsel happened to pick up one of the warrants, and when he asked for an explanation he was told—"Of course we are only having them ready." This prosecution, however, killed hunting in County Waterford. I speak as a Waterford man within the hearing of other Waterford men. I will say that if there had been a Magistrate of common sense on the Bench, and with a genuine interest in hunting and at the same time recognizing the tenants' rights, hunting might have gone on to this day in County Waterford, and Lord Waterford would be a happier, merrier man than he is to-day. The right hon. Gentleman has spoken of administration as being the most important duty incumbent upon Resident Magistrates. What has he to say of the conduct of Divisional Magistrate Cameron or Divisional Inspector, I believe he is called—I really cannot distinguish these grand titles? When the evictions took place on the Olphert Estate last January, will the House believe that one morning, about 4 o'clock, the agent found that some tenants had re-entered the house from which they had been evicted, and immediately got the aid of some 20 of the Irish Constabulary, visited the house, knocked at the door, and, not being admitted, went at once to the Magistrate and swore that the house was being forcibly held against him? Divisional Inspector Cameron then appeared on the scene and the door was opened by a woman, the house was then taken possession of by the police and used as a temporary barrack for which a shilling was paid to the agent. Is that the conduct of a Magistrate who wishes to act impartially between the people and the police? There have been other and similar cases; on one occasion the Inspector broke open a house in the early hours of the morning and found it occupied by a poor old woman, cowering over the embers of a fire, and in every case of this kind where warrants were issued by the Magistrate and executed by the police, prosecutions were afterwards instituted, but were dismissed for want of evidence. The Chief Secretary has explained why Colonel Turner and Mr. Cecil Roche refused subscriptions to the Tralee Races. The letters from these gentle-

men enclosed in one envelope have been put into my hands. The letter from Colonel Turner is to the effect that while under ordinary circumstances he should have been glad to subscribe to the races, he declined to do so because upon the list of Stewards was the name of a person who was a persistent breaker of the law, and a constant traducer of the constabulary and their officers. The second letter says—

"I am in receipt of yours of this date applying for the usual subscription, but I regret to state that I do not feel justified in subscribing to the Tralee races this year, owing to the presence on the committee of an individual whom it has been my painful duty to sentence to a term of imprisonment, and who systematically insults those who are endeavouring with me to preserve law and order in this country."

[*Cheers.*] I welcome the cheers uttered by hon. Gentlemen opposite, and I tell hon. Members that these letters will be read from hundreds of platforms in Ireland, and if they are not greeted with cheers like those given by hon. Members opposite, at any rate the advice which will follow the reading of the letters will be received with cheers. That advice will suggest to the people to take a leaf out of the book of the Resident Magistrate in the matter of boycotting political opponents. In Ireland people often seek for a neutral platform on which political opponents may meet, but if this is to be the course of action adopted by the Resident Magistrates, the Irish Members and those who support them will find many opportunities of seeing that their political opponents shall not have as much favour in non-political matters as has hitherto been extended to them. I, for one, believe that boycotting is a perfectly justifiable weapon. I know that last night the right hon. Gentleman the Chief Secretary said that it had been invented by our Party. As a fact it was not invented by our Party, for it was practised against our people many years before they adopted it. Now I wish to make a few observations upon another point. The Chief Secretary has quoted a statement made by Chief Baron Palles. I wish the right hon. Gentleman would quote all the statements made by learned Judges. He has also quoted a statement by Baron Dowse, but he has only quoted the statements which tell in his favour. Now, we have the case in which the Resident Magistrate pronounced sentence on Dr. Tanner, and the Superior Court have quashed that sentence on the ground, I understand, that these two Magistrates who, according to the Lord Lieutenant, were acquainted with the law, did not know the law. We surely ought to have some explanation on this point from the Chief Secretary. It would appear that Dr. Tanner declined to recognise the jurisdiction of the Magistrate who tried him, and because he held their Court in contempt, these men who did not know the law, and who, as we now know, illegally sentenced him to a month's imprisonment, are held to be empowered to call upon the hon. Member to give securities to keep the peace, and they adopted this course because they well knew that he would prefer to remain in gaol for three months rather than give such sureties. The right hon. Gentleman opposite has been in the habit of getting up here and saying——

It being Midnight, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again to-morrow.

SUPPLY [7th August]—CIVIL SERVICE ESTIMATES.

Resolution reported.

Class III.

"That a sum, not exceeding £889,371, be granted to Her Majesty, to complete the sum necessary to defray the charge which will come in course of payment during the year ending on the 31st day of March, 1890, for the expenses of the Royal Irish Constabulary."

Resolution read a second time.

Motion made, and Question proposed, "That this House doth agree with the Committee in the said Resolution."

*Mr. PIERCE MAHONY (Meath, N.): Owing to the application of the Closure last evening I was prevented making a few remarks on this Vote, which I had been anxious to make, and which I had risen more than once for the purpose of making. The Chief Secretary for Ireland has delivered two speeches in the course of the Debate on this subject. The first was, if I may be permitted to

say so, in his best possible style—his own peculiar style. But the second was in his worst possible style. He does not shine in a conciliatory attitude at all. He was in admirable form in his first speech; indeed, his form was so admirable that when he sat down he was appealed to by his Colleagues, and especially by the right hon. Gentleman who leads this House, and who always treats his opponents with courtesy, to withdraw, and apologise at the first opportunity for the most insulting observations which he addressed to the right hon. Gentleman the Member for Bradford. He did apologise for the observations, but he did not appear particularly to like the performance. I naturally, as an Irish Member, have closely observed the Chief Secretary's conduct since I have been a Member of this House, and I am bound to say that I have never seen one single trace of that good feeling and magnanimity which is generally supposed to be characteristic of the English gentleman. I hope that the right hon. Gentleman who received the Chief Secretary' apology yesterday will, should he have occasion to visit Ireland during the Recess, exercise more than ordinary caution, because I am perfectly certain that if the right hon. Gentleman the Chief Secretary only gets a chance he will make the right hon. Gentleman the Member for Bradford pay dearly for that apology. The right hon. Gentleman took great credit because, as regards some particulars, over which he said he had special control, with regard to police expenditure, he had effected a reduction, and he attributed that reduction to the improved state of the country under the Coercion Act. I do not attribute it to that. I attribute the reduction to the fact that there have been fewer evictions during the past 12 months. Why have there been fewer evictions? Because there are fewer properties on which the landlord and tenants are in conflict with one another. And why are there fewer properties on which there is this conflict? Not because of the administration of the Coercion Act by the right hon. Gentleman, but because there has been a system pursued by the Nationalist Party in Ireland with the express purpose of leading to settlements between landlords and tenants. I challenge the right hon. Gentleman to dispute the fact that the Plan of Campaign has led to more settlements between landlords and tenants in Ireland than anything else. Whereas last year the Plan of Campaign was in operation on about 140 estates in Ireland, now it is only in operation on about 30. What have become of the 110 estates? Why, Sir, the fact is that the Plan of Campaign has led to a settlement on these estates, and there the landlords and tenants are no longer in conflict. But for that the right hon. Gentleman is not entitled to any credit; indeed, he has done his best to prevent settlements being brought about by the Plan of Campaign. Nor is credit due to Members who, like the hon. Member for South Hunts, have gone out of their way to prevent these settlements. Now, the right hon. Gentleman the Chief Secretary is particularly proud of his statistics with regard to boycotted persons in Ireland. I do not attach much importance to statistics produced by the Irish Government, because I happen to know something of the way in which they are collected. If the Government want crime to rise up, up it goes. When they want it to occur, it does occur; and when they want undetected crimes to multiply, they do multiply at the mere nod of the head of the Chief Secretary. Boycotted persons in Ireland are fewer now, because there are fewer estates on which there is a conflict between landlord and tenant. The Plan of Campaign has stopped the conflict on a large number of estates, and therefore there is no longer any necessity to boycott certain persons. I said, Mr. Speaker, that when it was the desire of the Irish Government that the statistics of undetected crime should go up, that result was easily obtained. I am not in the habit of making statements without having some ground for them, and I intend to quote three cases in which the police apparently failed to make any effort whatever to detect crime, although they had every warning that it was likely to occur. There is a certain agent in the South of Ireland who made himself very

unpopular. One Friday night a boycotting notice of a very violent character was posted on a gate about four miles from Listowel. This boycotting notice appears to have been the only one posted on that night, but the fact that it was posted came to the knowledge of the agent during the following day, and he immediately came to the conclusion that the notice had been posted up by mistake, and that a great body of similar notices would be posted up on the following night. He sent information to the police of what had occurred, and told them what he believed was likely to occur. Though they were cautioned to watch carefully during the Saturday night and Sunday morning, and though the Police Barrack is in the Square of Listowel, there was scarcely a house in the square which had not one of these notices posted upon it, and the person who posted them, having more than he cared to dispose of, threw the remainder of the bundle of notices into the police barrack-yard. The police, although warned, never detected the person who posted these notices. In the same district there was a farm from which the tenant had been evicted, and the agent had reason to think that, on a certain night, the crops would be removed from the farm, which was in the possession of a caretaker. He informed the police what he expected would ensue, and upon what night it was likely to be done. As a fact, on that very night the crops were removed and the police detected nobody. In the same district, during the same summer, the police were informed that an effort was to be made within the next few days to drive away and kill a number of cattle belonging to an unpopular person. The effort was made; the cattle were driven away and killed, and nobody was detected. Thus you have three cases in a small area of four or five miles, in which the police, although warned that outrage was likely to take place, failed to detect anyone committing it. And yet for these men, who so fail in their duty, this Committee is asked to pay close upon two millions a year. We have grave reason to believe that the police are at the bottom of many outrages. They know that their living depends upon the continuance of outrages, and therefore, so far from trying to prevent them, they wink at them. We shall not forget the case which occurred in the Castle Island District, in which a policeman, having by accident shot in the legs a man whom he was engaged in protecting, subsequently broke a pane of glass and tried to make out that an outrage had been committed. It was proved afterwards that he had done this and he was dismissed from the force. The Chief Secretary has said he was anxious in regard to the case of my hon. Friend the Member for North-East Cork, to so arrange his trial that he would be able to take part in this Debate. But I venture to suggest that he did not take the steps which he could have taken, in order to prevent my hon. Friend making a useless journey to Ireland. I should also like to know why he had my hon. Friend arrested at the Cork Railway Station. Why could he not have summoned him instead of arresting him? He says he prefers the system of summoning, but that he feared that the hon. Gentleman would not attend on summons, and therefore was compelled to issue the warrant. I venture to assert he had no reason whatever to believe that my hon. Friend would not attend upon summons, because on the last occasion on which he was summoned he obeyed the summons. But as he preferred the method of arrest, why did he not also arrest the Member for East Cork, who was named jointly in the same summons with the hon. Member for North-East Cork. Both hon. Members were on the railway platform when the one was arrested, and I should like to know why the Member for East Cork was not arrested until the following day. I contend the Government deliberately arrested the hon. Member for North-East Cork at a crowded railway station, and at a perfectly unnecessary time, in order to provoke a riot. We believe they wanted to provoke one, and we have every reason for believing that the police expected one, because a constable actually warned two ladies who were on the platform to get to a particular point, because, he said, there they would be safe. And then again, with reference to the events at Charleville, we learnt yesterday for the first time, that the Police Inspector had received an injury to one of his arms. My hon. Friend the

Member for North-East Cork, whose statement on that point I should prefer to rely upon, said that in the railway carriage he again and again after they left the station challenged the police to point out any injury which anyone had received, and the only answer that could be made was that the District Inspector pointed out to him a dent in his helmet. This was not an injury to the head, nor was it an injury to the arm; it was simply a dent in the helmet. The right hon. Gentleman was asked yesterday if an order was given to the police to fire on the crowd at the railway station. His answer was, "Yes, I believe so." Apparently, he did not take the trouble to inquire specifically as to whether the order was given. Does he consider the lives of Irishmen of so little importance that he does not think it necessary to do what I venture to say would be the first thing done in a similar case in this country—namely, to inquire as to whether the police were ordered to fire, or not? I should like to point out that the hon. Member for North-East Cork has clearly and distinctly stated that the policemen fired without orders, and without the knowledge of their officer. My hon. Friend said he told the Inspector to ask his men and he asked them all round the carriage, not knowing that they had fired, and two admitted that they had done so. Will the right hon. Gentleman still maintain that there was an order to fire? I say it is perfectly monstrous that when the police fire on the people in Ireland the right hon. Gentleman, who is really responsible for the act and who makes himself doubly responsible by the carelessness with which he treats it, will not take the trouble to inquire whether an order to fire was given or not. There is a strong case for inquiry. If this had occurred in England no Government would have dared to refuse an inquiry. In the Debate yesterday the hon. Member for Ilkeston (Sir W. Foster) referred to the manner in which he was followed by the police. The hon. Member was staying with me at that time. I did not accompany him because the property he was going to visit belonged to a gentleman with whom I had been on terms of friendship for some time, but the description brought back by the hon. Member of the state of the property induced me to do what I had never done before, and will never do again—write to the owner and offer to go down there myself and see whether I could be of any use in bringing them to equitable terms. What were the thanks I got? In reply to my friendly letter I received a cold and formal reply, saying that my letter had been forwarded to the agent, Mr. O'Brien. A few days afterwards I received a letter from that amiable gentleman, saying he had had forwarded to him my letter, and learnt from it that two friends of mine (Sir W. Foster and Mr. Schnadhorst), notorious as disturbers of the peace, had visited the property, and, with the impertinence usual to the Saxon ignorance, had ventured to pronounce an opinion on the matter. I commend that term "Saxon ignorance" to the right hon. Gentleman. It is from one of his violent supporters. After that I took the first opportunity of visiting the property myself and of getting more Englishmen to visit it. I was fortunate in securing a good many other visitors. The result is that there is no dispute between the landlord and tenants on that property to-day. The Plan of Campaign has won a victory there. The evicted people are back in their homes and the tenants are living in peace. I should like to ask the right hon. Gentleman how we stand exactly in Ireland as regards meetings. It is often represented in this country that meetings can go on anywhere in Ireland unless they are to be held in furtherance of "the conspiracy called the Plan of Campaign." A meeting was suppressed by the police at Bective Abbey in the County of Meath. There was no Plan of Campaign in operation there. When I asked a question in this House about it, the answer I received was that the meeting was held with the object of preventing farms being taken, and that the holding of it would have been an overt act in the general conspiracy now existing with that object. So that we have got on a step further. It is no longer the Plan of Campaign, but a general conspiracy all over the country for preventing people taking farms from which tenants have been unjustly evicted. That is a very serious change. Does the right hon. Gentleman mean that every man in Ireland has not a

right to refuse to take land from which another man has been unjustly evicted? If so, let him say it in plain language. Let us know where we stand. I have always seen the importance of this point. The very first time I spoke to tenants in Ireland, I told them that their very strength lay in this particular, and that if they could not keep up the feeling in Ireland, that no one should take land from which another had been unjustly evicted, they would not win the battle, and would not deserve to win it. I have repeated that over and over again. If it is illegal, why has not the right hon. Gentleman prosecuted me for it? I will repeat it again, and in doing so I shall be only following up the advice that was practically given in this House by Members of the Government, when, in the autumn of 1886, we called attention to the danger of evictions, and the right hon. Gentleman, who was then Attorney General for Ireland, said there was no danger of evictions, because the Irish landlords were not fools and that it would not pay the landlords to turn their tenants out. General Buller was sent over to Ireland during that autumn, and he gave evidence before the Royal Commission. His statement was that when the landlords could not let their farms, then they were forced to consider the question of rent. Under these circumstances we are justified in treading in the footsteps of these gentlemen—one adorns the Bench, and the other graces the British Army.

*Mr. SPEAKER: The remarks of the hon. Gentleman are not relevant to the Constabulary Vote.

*Mr. PIERCE MAHONY: I will draw my remarks to a close, but in doing so I want to allude very briefly to the remarks with which the Chief Secretary concluded his speech yesterday. The right hon. Gentleman said that we complained that the police in Ireland were used to buttress up the property of the few, and he asked us if we considered the property of the few less sacred than the property of the many. Certainly not. But there is a dual ownership of farms in Ireland. The right hon. Gentleman forgot that point.

*Mr. SPEAKER: Order, order! Dual ownership has no reference to the Constabulary Vote.

*Mr. PIERCE MAHONY: The right hon. Gentleman distinctly stated that we complained that the police were used in Ireland for the purpose of buttressing up the property of the few. As regards the land in Ireland, the few have no property which is not shared by the tenants — the landlords and tenants are now joint owners; but I will not pursue the subject. The Chief Secretary concluded by alluding to what he called the absence of our Liberal friends during these Debates. I hope he notices that they have not been absent to-day. I think we may well feel our friends the Liberal Members have good excuse at this period of the Session for taking a little relaxation, and I am very much surprised, and I am also very thankful to them for attending in such large numbers. But the success of the cause in which we are working does not depend upon any party in this country. We rely on our own resources, we rely on the Irish people, we rely on a people who are not only in your very midst, in every large centre of population, but who are present in large numbers in every colony of this Empire, and who form a most important portion of the population of the greatest country the world has yet seen—the United States of America.

Dr. FITZGERALD (Longford, S.): This Vote involves a large amount of the taxpayers' money. It has been rushed through the Committee with great haste and by means of the Closure. I feel, therefore, that a few remarks from me will not be out of place. The sums set forth in the Vote are said to be necessary, but the Irish Government have shrunk from answering the grave and specific charges which we have made against individual members of the police force, and what is graver still, they have

refrained from answering our charge that they themselves have stimulated the police force to those crimes against the people in Ireland of which we now complain. I consider I am singularly fortunate in rising to speak now, because I see the hon. Member for South Tyrone (Mr. T. W. Russell) in his place. The other night the hon. Gentleman related some very interesting historical facts—facts which we have been endeavouring to place before the people of this country for a good many years—and he did it so lucidly and well I think, that now, as it were, in the evening of his somewhat chequered and unfortunate political career, the thanks of the Irish people and their representatives are due to him. The hon. Member told us of the good old days when the predecessors of those men with whom he is now in alliance were enabled to drive from their homes the peasantry of Ireland in order to make room for Scotch adventurers, to the good offices of whom we are indebted for the lustre which the hon. Member casts upon this assembly, and for the damage which he invariably does the Party opposite, with whom he has had nothing to do, but to whom he actually belongs. I am also fortunate in seeing the Solicitor General for Ireland in his place, who, on a former occasion, when the Lord Mayor of Dublin made the specific charges I am about to repeat, proudly described himself as the spokesman of the Irish Government. On that occasion the hon. and learned Gentleman invited my right hon. Friend not to discuss the question of the assault upon the hon. Member for Monaghan (Mr. P. O'Brien), and the question of the wounding of the man at Charleville, and the question of the arrest of the hon. Member for North East Cork (Mr. W. O'Brien), because, as he said, "the Government have no official information, and you as well as ourselves will be at a great disadvantage." From where did the hon. and learned Gentleman await information? From the source from which the hon. Member for South Tyrone derives his, which information has been shown in a law court recently to be absolutely untrue—information from the bailiff, from the landlord, from the emergency men, and lastly from the policemen, who are in alliance with the Solicitor General for Ireland and his party. But we forced the hon. and learned Gentleman to make some reply. He asserted that the railway station was a nice quiet place whereat to effect the arrest of the hon. Member for North East Cork, upon a day when the whole county and town of Cork was astir. When he made that statement I saw a bilious smile pass over the faces of his supporters. I am at one with the hon. Member for South Tyrone, because, after the lamentable event which followed the arrest of Father M'Fadden—the death of Inspector Martin, but which undoubtedly lies at the doors of the Irish Government—it is trifling with the House of Commons, and is an insult to the Constitution, for a responsible Minister of the Crown and a lawyer to make such a statement. On that occasion the hon. Member for Monaghan was assaulted. He received some injuries which have since prostrated him, and which will probably shorten his days. The hon. and learned Gentleman hinted—but afterwards withdrew the hint—that a rescue of the hon. Member for North East Cork had been attempted by the hon. Member for Monaghan. When, immediately afterwards, the Chief Secretary came into the House, and was proceeding to repeat the assertion, what was the learned Gentleman doing? Not looking over the fusty pages of the Acts of Edward III., but pulling the Chief Secretary by the coat-tail, and trying to prevent him making the ridiculous assertion which he himself had just partly withdrawn. The hon. Member for Monaghan was assaulted by the police force, of whose conduct I now complain. We heard the other night the Chief Secretary parading before the House, and really before the country, the amicable relations which exist between the police and the people of Ireland. I knew what was in the right hon. Gentleman's mind. I knew by the corner of his eye what he had ringing in his ears. He was replying to the speeches of the noble Lord the Member for Paddington (Lord R. Churchill) and the hon. Member for Preston (Mr. Hanbury), which speeches showed that Englishmen can belong to a Party and still maintain their spirit of justice and fair play. The fact is the police force of Ireland is not a police

force; it is a band of armed men who are under the control of an unfortunate clique of pauper landlords, who in turn control the action of the Irish Government. The first blight has fallen upon their cornfield in the shape of the speech of the noble Lord the Member for Paddington. A regular famine will undertake them before long. The people of this country will cut them adrift from their pauper landlords. Then, Sir, we will have the police in our hands, to use them, not as you have used them, for the purpose of crime and outrage against the people, but with that forbearance and moderation which is becoming honest and honourable men.

*Mr. J. E. ELLIS (Nottingham, Rushcliffe): I rise, Sir, to move the Adjournment of the Debate. We have now carried on this discussion for an hour past midnight, and it really amounts to a prolongation of the Debate we had last night on the Vote for the Constabulary, which was brought to an untimely and, I think, unprecedented end last night. I will not stray into matters that would be out of order, but I think I may go so far as to say the discussion was brought to a close in an unprecedented manner. But with reference to my Motion for Adjournment. I wish to call the attention of the Chancellor of the Exchequer, who, I presume, is in charge of the House for the Government, to the Resolution under which we are now proceeding, and which was passed on April 30 last. Now, when that Resolution was passed, I think it was thoroughly understood, and I think pledges to the effect were given by the right hon. Gentleman who moved it and the Chancellor of the Exchequer, who supported it, that in exempting Report of Supply from the 12 o'clock Rule, the Report should only be taken after 12 o'clock on exceptional occasions, and when there was any desire on the part of any section of hon. Members to discuss any question on the Report, then the exemption should not be put in operation. It was emphatically stated then, on behalf of the Government, that the only object in passing the Resolution was to prevent the use of the individual "I object" after 12 o'clock. I think, seeing the desire of hon. Members below the Gangway to continue the discussion, we may fairly claim the fulfilment of this pledge, and that the Adjournment should be agreed to. I make this appeal to the First Lord, who, I see, is just now entering the House, and I hope he will not resist my Motion.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. John Ellis.*)

*The FIRST LORD of the TREASURY (Mr. W. H. Smith, Strand, Westminster): I am exceedingly reluctant to oppose this Motion; but I think it must be allowed that, after two nights' discussion, continued, as it has been, this evening, the matter might now fairly be disposed of. Some regard must be had to the necessary progress of business, and at this period of the Session I do not think it desirable that we should adjourn this discussion over another day. I think I may in reason ask the House to come to a decision on the Vote. [*Cries of* "No!" *and* "Certainly not!"] It is really necessary that the money should be voted.

Mr. HALLEY STEWART (Lincolnshire, Spalding): There are many of us who have been engaged on Select Committees, and who have been at work for 13 hours, and surely, under the circumstances, having the prospect of a Saturday Sitting in view, we may, on the ground of fatigue, fairly claim an Adjournment of the Debate now.

Mr. SEXTON (Belfast, W.): It would be well, when the right hon. Gentleman makes what he considers a conciliatory proposal, that his followers on the other side should assist him by abstaining from interruptions which caused imitation on this side, feelings that have already been more than sufficiently strained this evening. As the Member for Nottingham has said, Parliamentary tradition is entirely on the

side of Adjournment. This Rule was intended to prevent an expression of individual objection staying proceedings when there was a desire to go on. I must say that with the prospect of a Saturday Sitting in view I have little inclination to go on with the Debate now. But I think before we proceed any further the right hon. Gentleman the Chief Secretary may give us that information we have sought so long in vain, and tell us out of what fund the charge for the battering-ram has been defrayed.

*MR. SPEAKER: It is out of order on a Motion for Adjournment.

MR. SEXTON: I only wish to suggest that the Chief Secretary should make the Debate on the Vote artistically complete by giving us an answer to this question.

*MR. A. J. BALFOUR: I am afraid I shall not be in order in entering at length into this matter, but perhaps I may just mention, as a matter of personal explanation, that as the cost of the battering-ram is defrayed out of no public fund at all, the matter is entirely out of my control, I cannot give the right hon. Gentleman the information he desires.

*MR. SPEAKER: Order, order!

MR. O'DOHERTY (Donegal, N.): It has come to my knowledge, examining these accounts, that under the head of Law and Justice there is expenditure which really should stand in the accounts of the Royal Irish Constabulary to the extent of £10,000 in the present year.

*MR. SPEAKER: Order, order! That is a question that may be raised afterwards; it cannot be raised in the question of adjournment.

MR. O'DOHERTY: Then, Sir, I only desire now to support the Motion for adjournment.

MR. SEXTON: Perhaps my hon. Friend will allow us to proceed with the point desired to be raised, and will withdraw his Motion for adjournment.

Motion, by leave, withdrawn.

Original Question again proposed.

MR. O'DOHERTY: I may allude more fully to the point I mentioned just now. In a discussion of this kind all the details of the accounts should be put before us that we may fairly estimate the increase or the decrease of expenditure and know the reasons for the one or the other. But there is a sum of £10,000 included in the Vote under the head of Law and Justice on account of travelling expenses, which really should come under the Vote for Constabulary. I think it is only right to call attention to this, and I have a strong objection to the system by which a Vote granted by the House for one purpose can be diverted to another. I think that the Auditor General's notes should be followed up in some way. I know this is a matter of detail, but I really think it is of little use our attempting to discuss these accounts if it is possible that an amount can be smuggled into one Vote when the expenditure is really under another head. I will not enter into the matter now, but it is a financial point that I think ought to be raised. I am satisfied that if we go carefully through the Law and Justice accounts, there is an amount of £10,000 in them that should be in the Constabulary Vote.

MR. BLANE (Armagh, S.): I ventured to say when the House was in Committee on this Vote that the Chief Secretary ought to give some explanation of the demand made for such an immense amount of money under this head. In the time of Sir Robert Peel the total amount of the Constabulary Vote was £437,000. In the year 1860-1 we find the Vote was £653,000, and now it has risen to the sum total of £1,439,371, and, possibly, if the system to which my hon. Friend has just referred is carried out to any extent, to a million and a half. There are a number of items in these accounts that require to be proved, money provided for half-pay troopers and a class of mud-stranded Admirals, men who, unfitted for the services for which they were trained, are by this means enabled to earn further sums by dragooning the people. We see how the Vote is swelled by the increase in the pay of District Inspectors, who, some years ago, were well paid at

£120, and who now receive £250, and, with their total allowance, nearly £1 a day. This, I think, is a monstrous charge. When the pay was £120, the appointments did not go begging at all, and I think the officers were a better class of men than they are now when we give them pay equal to that we give a man who commands a regiment in its full strength and has to face enemies and take all the chances of loss of life, while these constabulary officers have little to do but hunt down Members of Parliament. When we consider the cost of living in Ireland and the average wages among the people, we must consider that all grades are overpaid, and especially when we compare the scale with that of the police in the Metropolis, where living is so expensive. Where a constable used to get £60, he now gets in pay and allowances nearly double that amount, with a chance, too, of getting a share in the large amount voted for extra pay and travelling allowances. The other day I drew the attention of the Chief Secretary to a police outrage committed in my County (Armagh), and I mentioned the circumstances in which certain constables wantonly fired at and made bullet holes in fishermen's boots, and I desire to ask again are these men to be prosecuted? The Chief Secretary said that I did not furnish him with the names, but I may say that the men to whom the boots belonged were Joseph and John Robinson, and another man whose name I think is Fox. But even when we give the fullest details we do not get any satisfaction. I hold that such offenders should be prosecuted with more severity than ordinary civilians, for they are the men who should show example of obedience to the law. The Constabulary Code says that arms are to be entrusted to the Constabulary to be used with prudence and humanity, but what prudence or humanity is there in the conduct of these policemen, which I described in Committee? The duty of the Government is to prosecute, not to defend, in such cases. But this can be said, that no matter whether we have a Tory or a Liberal Government, we have the same class of men in Dublin Castle where the headquarters of the police are situated. I ask the right hon. Gentleman now to give facilities for justice to be done in the cases which have been referred to.

MR. COX (Clare, E.) opposed the Vote.

MR. CONWAY (Leitrim, N.): It is much to be regretted that we have not had a Local Government Bill for Ireland, similar to the one which has been passed for Scotland, for I believe that, had such a Bill been passed, the cost of the Irish police would have been very materially reduced. The right hon. Gentleman the Chief Secretary has drawn a comparison between the cost of the Metropolitan Police and the cost of the Irish Police; but he failed to take into the comparison the cost of the police in the remainder of England, and therefore I venture to suggest that the contrast he drew was not a fair one. There is no other nation in the world which presents such a picture of Government as is presented in Ireland. What are the police of Ireland? The Chief Secretary bragged about them being the best possible force, physically and militarily speaking. But did he not consider it was a degradation to his own nation, when he enunciated such a proposition? You brag about your freedom and your flag which sustains liberty and gives relief to the slave, and yet, in Ireland, you are holding down your people by the help of the police. The details which we have had during the last two or three days of police administration in Ireland ought to induce the right hon. Gentleman to take the helm of reform instead of lolling on the Front Bench in an attitude which is a disgrace to any Minister.

*MR. SPEAKER: Order, order! The hon. Gentleman must not make personal remarks of that kind.

MR. CONWAY: When one is addressing the House he naturally expects to meet with some attention; but when I am met with sneers and guffaws, such as the right hon. Gentleman indulges in, of course I do resent it. I say this Vote requires further explanation. The right hon. Gentleman stands in his place and contrasts the Metropolitan Police with the Irish Police; it is not a

fair contrast, for he ignores the police of the rest of England, and, therefore, I say the Chief Secretary is simply sitting at ease and blowing bubbles in the air. Our time is not wasted even at this hour of the morning in impressing facts about the police on the minds of the English people. When we see a million and a half of money spent upon a Police Force which is not used for police purposes, I say we have great reason to complain. The sooner we can get rid of the present police system, and bring it within the scope of Local Government, the better it will be both for the English and the Irish people.

MR. T. M. HEALY (Longford, N.): I wish to have further particulars as to the eviction of Mr. Molony at the instance of a Reverend gentleman living at Windsor, in England. The legal question raised in this case has been determined, but I wish to ask the right hon. Gentleman by what power or authority he gave the Sheriff of the County of Limerick the use of a force of 60 men to put this Mr. Molony out of the holding the rent of which he had paid? This case affords an illustration of the manner in which the Sheriffs and landlords in Ireland have the forces of the Crown placed at their disposal. I again demand to know by what authority the police were used for this work? Six months ago I brought this matter before the House, and I was refused an answer as the case was then *sub judice*. Since then we have cast the landlord in damages, and, therefore, I again ask the Chief Secretary by what right sub-Sheriff Hobson used 60 policemen in order to turn this man out of the house for which he had paid the rent? Why do our Sheriffs and our landlords get police protection when they are doing an illegal act? How can you expect the people of Ireland will respect your Government if you allow your armed forces to engage in this work?

MR. SEXTON (Belfast, W.): I think I am entitled to ask for information as to whether a prosecution is to be instituted in the case of the four constables who, according to the testimony of my hon. Friend the Member for North Armagh, committed a most inexplicable outrage in that county, and destroyed a boat, by means of which a number of poor men earned their living? Also, I hope the right hon. Gentleman will tell us why a force of 10 men took up a post near the residence of my hon. Friend the Member for East Clare and acted as an army of occupation there?

*MR. A. J. BALFOUR: With regard to the last question asked by the right hon. Gentlemen opposite I have not the facts before me at present and cannot answer it. As to the hon. Member for East Clare the hon. Gentleman had been guilty of several illegal actions, and accordingly the police were interested in his motions. But I should think it improbable that they camped out in his garden. With regard to the case instanced by the hon. Member for Longford, it is the business of the police to provide protection for the Sheriff if he applies for it. The police cannot inquire into the merits of every case before acting, because that would convert them into a judicial body. As to the question put by the Lord Mayor of Dublin, a warrant has been issued against one of the men referred to; and no exception will be made in favour of policemen any more than other members of the community.

MR. COX: With regard to Police-constable Robinson who gave evidence against the hon. Member for Louth and myself, is he to escape with impunity? Is it not a fact, indeed, that he is on the list for promotion?

*MR. A. J. BALFOUR: No.

MR. COX: I am assured for a fact that that is so.

Question put, and agreed to.

INTERPRETATION BILL [LORDS.]

(No. 364.)

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. T. M. HEALY: I should like—as I understand this Bill is to be put down for Saturday—to know what business it is intended to take on that day. Also, under what con-

ditions the Saturday sitting will be held? I think it is most inconvenient that we should have to sit on Saturday.

*Mr. A. J. BALFOUR: I cannot definitely answer the hon. Member's question in the absence of my right hon. Friend the First Lord of the Treasury. Saturday sittings may be avoided if satisfactory progress in business is made during the week.

Mr. SEXTON: The First Lord of the Treasury hinted for the first time to-night that there would probably be a Saturday sitting. I think the business of the Session could easily be wound up without the necessity of Saturday sittings if reasonable conciliation were employed towards hon. Members from Ireland. At any rate, the Government may very well postpone the question of Saturday sittings until next week.

*Mr. A. J. BALFOUR: If the right hon. Gentleman will allow the matter to stand over till to-morrow, when the Leader of the House will be in his place, I will undertake to place the views of hon. Members before him.

Second Reading deferred to this day.

PRIVATE BILLS.

Returns ordered—

"Of the number of Private Bills introduced and brought from the House of Lords, and of Acts passed in the Session of 1889, classed according to the following subjects; Railways; Tramways; Tramroads; Subways; Canals and Navigation; Roads and Bridges; Water; Gas and Water; Lighting and Improvement; Police and Sanitary Regulations; Ports, Piers, Harbours and Docks; Churches, Chapels, and Burying Grounds; Inclosure and Drainage; Estate; Divorce; and Miscellaneous.

"Of all the Private Bills, and Bills for confirming Provisional Orders, which, in the Session of 1889, have been treated as Opposed Bills; specifying those which have been classified in Groups by the Committee of Selection, or by the General Committee on Railway and Canal Bills; together with the names of the Selected Members who served on each Committee; the first and also the last day of the sitting of each Committee; the number of days on which each Committee sat; the number of days on which each Selected Member has served; the Bills the preambles of which were reported to have been proved; the Bills the preambles of which were reported to have been not proved; and in the case of Bills for confirming Provisional Orders, whether the Provisional Orders ought or ought not to be confirmed; the Bills referred back to the Committee of Selection, or to the General Committee on Railway and Canal Bills, as having become unopposed, and the Bills withdrawn, or not proceeded with by the parties.

"And, of all Private Bills which, in the Session of 1889, have been referred by the Committee of Selection, or by the General Committee on Railway and Canal Bills, to the Chairman of the Committee of Ways and Means, together with the names of the Members who served on each Committee; the number of days on which each Committee sat; and the number of days on which each Member attended (in continuation of Parliamentary Paper, No. 0,139, of Session 1888)."—(*Sir Charles Forster.*)

GOVERNMENT DEPARTMENT SECURITIES.

Return ordered—

"Of the Classified Amounts of various Government Securities held by the several Government Departments and other Public Offices on the 31st day of March, 1889 (in continuation of Parliamentary Paper, No. 130, of Session 1888)."—(*Mr. Jackson.*)

Return presented accordingly; to lie upon the Table, and to be printed [No. 312.]

WOMEN'S DISABILITIES REMOVAL BILL. (No. 363.)

Order for Second Reading read, and discharged.

Bill withdrawn.

RAILWAY COMPANIES (PASSENGER TICKETS) BILL. (No. 251.)

Order for Second Reading read, and discharged.

Bill withdrawn.

CATHEDRAL CHURCHES BILL. (No. 124.)

Order for Second Reading read, and discharged.

Bill withdrawn.

MEDICAL ACT (1886) AMENDMENT BILL. (No. 277.)

Order for Second Reading read, and discharged.

Bill withdrawn.

CHILDREN INSURANCE PREVENTION BILL. (No. 245.)

Order for Second Reading read, and discharged.

Bill withdrawn.

House adjourned at twenty-five minutes after Two o'clock.

HANSARD'S PARLIAMENTARY DEBATES.

No. 7.] SEVENTH VOLUME OF SESSION 1889. [AUGUST 17.

HOUSE OF LORDS,

Friday, 9th August, 1889.

SUCK DRAINAGE BILL. [PRIVATE BILL.]

Brought from the Commons; read 1ª, and referred to the Examiners.

ZULULAND—NATIVE CHIEFS.

QUESTIONS.—OBSERVATIONS.

LORD HERSCHELL: On behalf of my noble Friend the Earl of Aberdeen I beg to ask the Secretary of State for the Colonies whether the evidence in the case of Dinizulu and other Zulu Chiefs recently tried by a Special Commission has been received by Her Majesty's Government?

*THE SECRETARY OF STATE FOR THE COLONIES (Lord KNUTSFORD): The evidence in the cases of Dinuzulu, Undabuko, and Tshingana, has only just reached this country. It is now in course of revision, and will be sent to the printer as soon as possible; but some time must elapse before the printing can be completed, as the evidence is very voluminous. The evidence in the cases of Somhlolo and other Zulu Chiefs has already been placed in the Libraries of both Houses of Parliament. I need hardly add that when this evidence has been printed it will receive the very careful consideration of Her Majesty's Government.

MERCHANT SHIPPING ACTS AMENDMENT BILL. (No. 191.)

House in Committee (on Re-commitment) (according to Order): Bill reported without Amendment; and to be read 3ª on Monday next.

FACTORS BILL. (No. 122)

Commons Amendments considered, and agreed to, with Amendments; and Bill, with the Amendments, returned to the Commons.

JUDICIAL FACTORS (SCOTLAND) BILL. (No. 202.)

Read 3ª (according to Order), and passed.

INTERMEDIATE EDUCATION (WALES) BILL. (No. 201.)

Read 3ª (according to Order), and passed.

LOCAL GOVERNMENT (SCOTLAND) BILL. (No. 179.)

Read 3ª (according to order) with the Amendments; further Amendments made; Bill passed, and sent to the Commons.

UNIVERSITIES (SCOTLAND) BILL. (No. 204.)

Amendments reported (according to order).

THE MARQUESS OF LOTHIAN: With reference to what fell last night from two noble Lords who sit on the opposite side of the House, who are not present this afternoon, as to the position of the Provost of Dundee on the University Court, I may say that I have gone into the matter as I promised I would, and have come to the conclusion that I should adhere to the position which I have all along taken. It is exceedingly desirable that the University College of Dundee should be affiliated to the University of St. Andrews at the earliest possible moment, and the effect of the Provost of Dundee, the Chief Magistrate

of that town, being on the University Court of that University, would be very beneficial in leading to that result. I only make this statement because I stated last night that I would consider the matter before Report. Then, it will be remembered that the noble Lord (Lord Camperdown) moved an Amendment last night, which I also said I would consider. The noble Lord is not now present, but I am glad to be able to accept the Amendment which he proposed.

Amendment proposed, in Clause 8, page 8, line 21, to leave out the words "University Court," and insert the word "Commissioner" instead thereof. Agreed to.

Other Amendments made; Bill to be read 3ª on Monday next.

PRINCE OF WALES'S CHILDREN BILL. (No. 212.)

Read 3ª (according to order), and passed.

PREVENTION OF CRUELTY TO AND PROTECTION OF CHILDREN BILL, *formerly* CRUELTY TO CHILDREN PREVENTION BILL. (No. 160.)

Read 3ª (according to order).

LORD HERSCHELL: On Clause 3 I have to move an Amendment which I mentioned yesterday, which I think will be an improvement in the licensing provision. At present that provision enables the Court to order that the child be permitted to be employed at an entertainment, or series of entertainments. I propose that instead of its being done in that form, it should be done by a license, and that that license may be granted for such time and during such hours of the day and subject to such restrictions and conditions as the Court may think fit. It does not compel the Court to impose any conditions whatever. They may give the license without any conditions. I think it advantageous that they should have power to impose conditions if they so think fit. I am led to think so by the course which has been pursued at Glasgow, which, I believe, has been extremely successful.

Amendment moved, in line 42, to leave out "order that," and insert "grant a license for such time and during such hours of the day and subject to such restrictions and conditions as it may think fit for."—Agreed to.

Consequential Amendments agreed to.

LORD HERSCHELL: The next Amendment I have to propose is to enable an Inspector under the Factory and Workshop Act to deal with these licenses in the way in which he deals with cases under that Act. In cases under the Factory Act the Inspector has power to see that the license is complied with and that the conditions are fulfilled. and I propose that the Secretary of State may assign to any Inspector appointed under the Factory Act the duty of seeing that the conditions of licenses under this Bill are complied with, and may also give the Inspector power to inspect premises and so forth.

Amendment moved, at end of Clause 3, to add—

"A Secretary of State may assign to any Inspector appointed, or to be appointed under Section 67 of the Factory and Workshops Act, 1878, specially and in addition to any other usual duties, the duty of seeing whether the restrictions and conditions of any license under the last preceding section are duly complied with, and any such Inspector shall have the same power to enter, inspect, and examine any place of public entertainment at which the employment of a child under the provisions of such clause is licensed for the time being, as an Inspector has to enter, inspect, and examine a factory or workshop under Section 68 of the same Act."—(*The Lord Herschell.*)

*THE SECRETARY OF STATE FOR INDIA (Viscount CROSS): I may mention that this Amendment entirely carries out the views of the Grand Committee which sat upon this Bill, and also the recommendations of the Royal Commission on Education which were especially directed to this point.

Amendment agreed to.

LORD HERSCHELL: Under the Elementary Education Act of 1876, and the Education (Scotland) Act of 1878, a child under 10 is not allowed to be employed except under certain conditions and restrictions. It might possibly be open to contention that a license under this Act exempted from the necessity of complying with those conditions as well as fulfilling the conditions of this particular enactment. Of course that is not intended, and in order to avoid any such point I have put on the Paper this Amendment.

Amendment moved, after the foregoing Amendment, to add the words—

"Nothing in this section contained shall affect the provisions of the Education (England) Act, 1876, or the Education (Scotland) Act, 1878."—(*The Lord Herschell.*)

Amendment agreed to.

LORD HERSCHELL: My next Amendment I move in fulfilment of the promise that I gave when this Proviso as to the employment of children under 10 was considered in Committee—namely, that a short time should be allowed before that part of the Act came into operation.

Amendment moved, after the foregoing Amendment, to insert the words—

"So much of Sub-section (c) of this section as makes it an offence to cause or procure a child to be in premises licensed according to law for public entertainment, or in any circus or other place of public amusement for the purpose of singing, playing, or performing for profit, shall not come into operation until the 1st day of November, 1889."—(*The Lord Herschell.*)

Amendment agreed to.

Bill passed, and sent to the Commons, to be printed as amended (No. 223.)

House adjourned at a quarter before Five o'clock, to Monday next, Three o'clock.

HOUSE OF COMMONS,

Friday, 9th August, 1889.

PRIVATE BUSINESS.

TAFF VALE RAILWAY BILL [LORDS].

(*By Order.*)

Order for Consideration read.

*THE CHAIRMAN OF WAYS AND MEANS (Mr. COURTNEY, Cornwall, Bodmin): This is a Bill upon which it is necessary that I should make some remarks. The House is aware that many Railway Companies who have built up their enterprise by Acts of Parliament containing varying powers have, of late, simplified their capital account by converting their Preference and Debenture stock into a unified stock. That has been done by several of the great Railway Companies to the simplification of their accounts and the advantage of the stock holders, nor is there any question of public interest involved in such conversion of their Preference and Debenture stock. They are irredeemable, and when we speak of £100,000 Preference stock at 5 per cent, and of £100,000 Preference stock at 4 per cent we ought more strictly to speak of the sums of £5,000 and £4,000 which are annually payable upon them. This Bill deals with the Debenture and Preference stock of the Taff Vale Railway Company, who propose to follow the precedent of other Companies, and if it had been confined to this object I should not have felt it necessary to trouble the House. But the Bill does more. The House is probably aware that many things have been attempted, and that some things have been done, with respect to the ordinary stock of Railway Companies—such, for instance, as dividing the ordinary stock into Deferred and Preferred stock, and increasing the nominal amount of stock. Many schemes have been proposed for producing the same simplicity in regard to ordinary stock as that which has been secured in regard to Preference and Deferred stock. The Bill now before the House, as it originally appeared in another place, proposed to enable this company, with the approval of the shareholders, to prepare and carry out a scheme of unification and simplification of its ordinary stock. The provisions of this Bill, and of other Bills with similar objects, have occupied the attention of my noble Friend the Chairman of Committees in another place and myself; but most of the measures which have been introduced have proved abortive and have been abandoned. But I think that on the present occasion a solution has been arrived at which may recommend itself to the House not only as good in itself, but as one which establishes a precedent, although it need not be followed unless it is approved by the general sense and wisdom of Parliament. This Taff Vale Railway is not a passenger railway under Lord Dalhousie's Act, which prescribes the terms under which passenger railways may be purchased. It is a mineral railway, and the average dividend which it has been paying for some years is 15 per cent. The company seek to convert their ordinary stock into

one uniform stock of £250, that being about the market value of the stock with the high dividend now enjoyed by the Company. It is desired by the shareholders to increase the amount of the stock and thereby to make the price of it more nearly approximate its nominal value. Although, apparently, a merely domestic matter, my noble Friend and myself, together with other authorities who have had the subject under consideration, are of opinion that such a conversion could not be recommended to the approval of Parliament, but it has been suggested that it might be convenient to convert the old stock into a new stock of larger amount, provided a limit of dividend might be fixed. This railway company have complied with that suggestion, and have embodied in this Bill provisions by which every £100 of ordinary stock is converted into £250 ordinary Stock carrying in future a maximum dividend of 6 per cent. It is further provided that if the profits of the company should hereafter enable it to pay more than 6 per cent, any surplus in excess of 6 per cent shall be applied to the reduction of the tolls, rates, and charges leviable by the company, or in such other manner, in the interests of the public, as Parliament may from time to time suggest. It is further provided that the accounts shall be rendered under the ordinary Companies' Act, but so rendered that if, hereafter, any action could be taken under Lord Dalhousies' Act for the purchase of the railway the conditions and information necessary to enable that Act to be carried out shall always be in the hands of the Board of Trade. The Bill is of a simple character. It consolidates the Preference Stock according to the principles followed by all the Railway Companies of the country, and it also increases the amount of the ordinary Stock, accompanying that increase with the limitation that the dividend is not to exceed 6 per cent, and that if there is any increase of profit it shall go to the benefit of the public in the reduction of charges, tolls, and rates. I think that, under these circumstances, the Bill may safely receive the assent of Parliament. I may, however, remind the House that there is another stage, the Third Reading, yet to follow, so that the House does not lose command of the Bill by assenting to the present stage.

Mr. Courtney

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): My attention has been called to this matter during the progress of the Bill through both Houses. I wish to say, in addition to what has fallen from the right hon. Gentleman, that I think the House is very much indebted to him and to the Chairman of Committees in the other House for the care with which they have watched the interests of the public in this matter. The question of the increase of the Stock of Railway Companies by the process known as "watering" is, of course, one of great importance. For reasons which seemed to them sufficient, and in regard to which they appear to be quite unanimous, the shareholders of the Taff Vale Company desire to effect this change in their ordinary Stock. The right hon. Gentleman and his noble Colleague in the other House, as a condition of assenting to the proposal of the company, have insisted on the insertion of clauses in the Bill which, I think, are largely in the public interests, and which, if adopted as a precedent, will certainly secure the public advantage. All I would suggest is, that if this Bill should be followed next Session by other applications to Parliament for the same powers, that Parliament might usefully consider whether a strong Committee ought not to be appointed—probably a Joint Committee of both Houses—to look into the whole question, and report to Parliament as to the way in which the matter can best be dealt with.

Bill, as amended, considered, and ordered to be read a third time.

BURY CORPORATION BILL [LORDS.]

Order read, for resuming Adjourned Debate on Question [8th August], "That in the case of the Bury Corporation Bill [Lords], Standing Order 243 be suspended, and that the Bill be now read a third time."—(*Sir Henry James.*)

Question again proposed.

Debate resumed.

*MR. COURTNEY: I beg to move—

"That the Bill be re-committed to the former Committee in respect of Sections 28 and 29.

That it be an Instruction to the Committee, that it is against the spirit and intent of Standing Order 173a to extend beyond sixty years the term of repayment of an existing debt

contracted by a municipal corporation or local authority under a previous Act or Acts."

This Bill is promoted by the Corporation of Bury to authorise them to make certain waterworks. If it had been confined to that, there would be no occasion for me to trouble the House with any remarks; but there are two clauses in the Bill which are totally apart from all the rest of its structure and constituting, in fact, a separate Bill. It is to these clauses that I desire to direct the attention of the House. The Bury Corporation acquired the waterworks under an Act passsed in 1872, and upon the works so acquired, there is a considerable debt. The Act of 1872 prescribed the conditions under which that debt should be repaid—conditions which, apparently, were not well understood by the Corporation of Bury at the time the Act was passed. The Corporation came again to Parliament in 1885, and the conditions of the repayment of debt contracted under the Act of 1872 came under the consideration of the Committee to whom the Bill of 1885 was referred. The Committee laid down very strict provisions as to the repayment of the debt, and, in fact, limited the repayment of the amount owing at that period to a period of 43 years. The Bury Corporation now come before Parliament with what is practically an Omnibus Bill, into which they introduce two clauses dealing with the existing debt and the conditions of repayment which were prescribed by the Acts of 1872 and 1885. In these two clauses the Corporation desire to extend the period of repayment of the still existing debt from a period of 43 years to 80 years. But Parliament has passed a Standing Order restricting the period for the redemption of debt under such circumstances to a period of 60 years. That is the Standing Order of Parliament in regard to applications for power to construct works and to contract loans in connection with them. Now, it is obvious that the clauses to which I have called attention, inasmuch as they do not refer to any works which are authorised by the Bill, but which were authorised by a previous Bill, do not in so many words come within the scope of this Standing Order No. 173a, but it must be apparent to the House that they come within the meaning and intent of the Standing Order, because otherwise the Standing Order would be reduced to a nullity. Or this process would be possible: a Bill might be introduced this Session authorising works to be made in conformity with the Standing Order which prescribes 60 years as the term within which the money borrowed for the construction of the works must be repaid, and next Session another Bill might be introduced extending the term from 60 to 80 years. It might then be said that the second Bill did not come within the Standing Order because it did not authorise money to be raised for the construction of the works. Therefore, the Standing Order is capable of being reduced to a nullity. You conform to it one year by bringing in a Bill for works, and prescribing a period of 60 years for the repayment of borrowed money, and then you apply for an extension of time, and the Committee are able to say that, inasmuch as the Bill does not authorise a loan to be granted in order to meet the cost of the works, it does not come within the scope of the Standing Order. It is quite clear that that is a contention which must be at once met and reprobated. The Standing Order would, in the event of such a construction being put upon it by the Committee, at once disappear. I have, therefore, felt it necessary to put upon the Paper this Motion for the recommittal of the Bill to the former Committee, with an Instruction in reference to the two clauses to which I have referred. If the House agree to that Instruction and re-commit the Bill, I presume that the Committee will be obliged to carry out the intention of the Standing Order by reducing the term so that it shall not exceed a period of 60 years. I think that the Committee have gone grievously wrong in supposing that the question of extending the period for the repayment of the existing debt does not come within the Standing Order. I am bound to pay some respect to the circumstances which they report in respect of this particular Corporation — circumstances which rather amount to an *ad misericordiam* appeal rather than to anything substantial. They say that when the Corporation of Bury got their Act in 1872 they thought they were allowed 100 years for the repayment of the debt; that they were

obliged to put by a Sinking Fund for the payment of the debt, and to allow it to accumulate every year, which is a very different thing from the repayment of debt. They pray for leniency, and they point out that they are burdened with costly works and with a Sinking Fund, which tells very heavily upon them. The Committee say that the terms are onerous and ought to be relaxed, but in that case the Corporation ought to come to Parliament and ask for its sanction, notwithstanding the Standing Order. They have, however, assumed that they have a right to do what they have done, and that assumption ought not to be allowed to pass without notice. Under these circumstances, I think the House might so far assent to the view taken by the Committee as not to insist on the term of 60 years in this case, but might make a compromise fixing it at 70 years, a sort of half-way house between what the Corporation ask for and the Committee good-naturedly assented to, and that which the House has laid down as the proper period of repayment. If that suggestion recommends itself to the House, it will be easy to add words to the Instruction to the Committee to amend the Bill by inserting 70 instead of 80. I throw out that suggestion with some reluctance, because I recollect that only two years ago another Committee—upon a Sheffield Bill—went wrong in a similar way, they then condoned the error, and we are now asked to condone the same error a second time. My view is that, as the error has been pointed out once, it ought not to have been repeated. At present I will content myself by moving the Instruction which appears on the Paper, but I shall not be averse to consider the compromise which I have suggested.

Amendment proposed, to leave out from the word "[*Lords*]," to the end of the Question, in order to add the words "the Bill be re-committed to the former Committee in respect of sections 28 and 29: —'that it be an Instruction to the Committee, that it is against the spirit and intent of Standing Order 173A to extend beyond sixty years the term of repayment of an existing debt contracted by a Municipal Corporation or Local Authority under a previous Act or Acts.'"—(*The Chairman of Ways and Means.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. Courtney

*Sir H. JAMES (Bury): I am well aware of the value of the public time at this period of the Session, and therefore I will not occupy the attention of the House at the time of private business at an unnecessary length; the question, however, is of such vast importance to my constituents, that I make no apology to the House for asking to occupy its attention while I state the peculiar circumstances under which my constituents seek relief. I am not going to follow the right hon. Gentleman in the construction he has put upon the Standing Order; but I think that when I have related the whole of the circumstances to the House, it will be considered that the ratepayers of Bury are entitled to the relief they seek. I am not going to ask for the repeal or alteration of the Standing Order, nor have the promoters of the Bill asked for any relief from it. In the year 1872 the Corporation of Bury found it necessary to become the owners of the water works so that they might supply the town of Bury with water. They took upon themselves a burden of £590,000, and they found themselves required not only to find water for the town of Bury, but for the outlying districts, which are greater than Bury itself. The whole burden of the expenditure fell upon Bury ratepayers alone. They were under the impression that the debt they contracted was to be paid off in 100 years; they would not, and could not, have undertaken to pay it off in less. The Standing Order did not come into existence until 1882, and it must be borne in mind that before 1882 100 years was not an unusual period to fix for the payment of money borrowed for water purposes. My constituents accepted the burden, and went on performing what they believed to be their duty. In 1885 they came to Parliament for another Bill, and the penalty was imposed upon them that within 44 years of that time they should pay off the debt. What has been the result? The inhabitants of Bury are now paying the enormous sum of 11d. in the £1 for this sinking fund alone, and, with one exception, I believe there is no town in the kingdom which pays more than 2¾d. In Birmingham, the figure is only ¼d., but the average is, I believe, 1½d. Yet Bury is paying 11d., and is paying it for a supply of water, four-sevenths of which

is supplied outside the borough to non-ratepayers. The outlying districts pay nothing towards the sinking fund, but the people of Bury are compelled to pay the whole. The Chairman of Ways and Means says that the Bill contains two clauses, which have nothing to do with the rest of the Bill. He is entirely in error. Bury is compelled to provide an additional supply of water for manufacturing as well as household purposes, and it was only when they found themselves compelled to borrow a sum of £130,000 that they came to this House to ask for relief. When they borrowed in 1872 they did not know that they would be compelled to pay the money in less than 100 years, and if the right hon. Gentleman the Chairman of Committees succeeds in carrying his proposition, the result will be that either the manufacturers or the poor people will be deprived of the supply of water which they absolutely require. No other town in England approaches Bury in the heavy burden it has to bear for its water supply. Two years ago the town of Sheffield came to this House and obtained the concession for which Bury now asks, yet the case of Sheffield was not one half as strong; the concession was granted because Sheffield was maintaining works greater than the requirements of the town demanded. Sheffield asked for 90 years. We are only asking for 80—62 years from the present time. The Chairman of Ways and Means made a protest in the case of Sheffield; but he did not ask the Committee to reject the conclusion the Committee had arrived at. Yet he asks the House to reject the conclusion which the Committee have come to in the case of Bury. I appeal to the right hon. Gentleman to take the same course as that which he took in 1887, and to support the Report of the Committee, in consequence of the special circumstances of the case. I presume that the Standing Order represents a principle, but there are exceptional circumstances in this case to which the Standing Order ought not to apply. If this Bill is not passed, it will be impossible to continue the sanitary arrangements which are essential for the well-being of the town. I therefore earnestly entreat the House to allow this concession to be made to the town of Bury.

SIR J. PULESTON (Devonport): As Chairman of the Committee by whom this Bill was considered, I wish to say that the peculiar circumstances of the measure have been succinctly stated by the right hon. Gentleman the Member for Bury (Sir H. James). The Chairman of Ways and Means has to some extent disavowed his action in connection with the Corporation of Sheffield.

MR. COURTNEY: No.

SIR J. PULESTON: At any rate he has asserted that it ought not to be a precedent; but the Committee could not ignore what had taken place in reference to Sheffield. We discussed the question of Bury strictly on its own merits, and if the Chairman of Ways and Means had sat upon the Committee and heard the whole of the evidence, I am sure he would have concurred in what was, in fact, the unanimous view of the Committee. The right hon. Gentleman has repudiated the idea of interpreting the Standing Order as applying to existing debts, but the President of the Local Government Board distinctly stated that the Standing Order of 1882 did not apply to pre-existing debts. We also took into consideration the very important fact that the Bury Corporation came to Parliament for other powers quite distinct from the original powers of the Bury Improvement Act, which have resulted in the onerous charge of an elevenpenny rate. Such a water rate as that is unknown, I believe, in any other community. If this Bill passes, the inhabitants of Bury will have to pay a rate of 2½d., which was, I believe, the sum against which the people of Sheffield protested. The Committee passed the Bill without the least hesitation, and they carefully considered the exact meaning of the Standing Order. I do not agree with the Chairman of Ways and Means in the interpretation he has placed upon the Standing Order, but I agree in the view of the President of the Local Government Board, that loans contracted before the Standing Order came into existence in 1882 do not come within the Standing Order. The Standing Order refers to loans under the Bill, but this is not in any sense a loan under the Bill. The Chairman of Ways and Means says that we ought to have come to the House and asked for permission to disobey the Standing Order, but we did not consider

that that was necessary, as we were not infringing the Standing Order. In view of the lateness of the period of the Session and the urgency of the question, we did not think that that was at all practicable. I trust that the House will not refuse to adopt the Report of the Committee. The Chairman of Ways and Means has admitted that the case of Bury is exceptional, seeing that he himself has proposed to set aside the Standing Order by giving 70 years instead of 60. The Committee had evidence that it is impossible to carry on the much needed sanitary reforms in Bury, owing to this grievous burden of 11d. in the £1.

*Mr. BRADLAUGH (Northampton): The question before the House is one of the very highest importance. When the Sheffield Water Bill was under consideration two years ago, I entered my protest against it because I am of opinion that the question of the increase of local debt is one of the most serious which this country has to consider. The wisdom of this House has settled the period for the repayment of debt at 60 years, and it is a decision which ought not lightly to be departed from. There are two points which arise in this Debate. First, does this case come within the operation of the Standing Order? I understand both the right hon. and learned Member for Bury and the Chairman of Ways and Means to allege that it does not come within the prohibitory words of the Standing Order. The hon. Gentleman opposite (Sir J. Puleston) says that the Standing Order does not provide for a pre-existing debt, but surely every debt is pre-existing, and the word 'debt" has no meaning at all if it is to be read in the sense in which the hon. Gentleman puts it. The right hon. and learned Member for Bury contends that the Standing Order does not apply because the Bill does not provide the works, but the debt was incurred in 1872 when the Corporation took over the works. The House is now asked to repeal an Act which was accepted by the Corporation of Bury in 1885.

Sir H. JAMES: The decision of the Committee was to that effect.

*Mr. BRADLAUGH: The Bury Corporation could have dropped the Bill.

Sir H. JAMES: They were obliged to go on with the Bill because it contained other things.

*Mr. BRADLAUGH: Then, for the sake of getting higher benefits they decided to go on with it?

Sir H. JAMES: For the sake of performing a higher duty.

*Mr. BRADLAUGH: I presume that all these Bills are introduced for the sake of performing a higher duty, and if it be possible to create a debt which is to be spread over an enormous period, there will be no indisposition to create it, because the burden will fall lightly on the generation which creates it. The Corporation of Bury saw fit in 1885 for benefits received to agree to a term of 55 years for the repayment of the debt —12 years having lapsed and 43 years to come. Under these circumstances I ask the House not to create another bad precedent but to insist upon the observance of the Standing Order. We are told that the outlying people take the water. I presume they pay for it.

Sir H. JAMES: The ratepayers pay in addition a rate of 11d. in the £1.

*Mr. BRADLAUGH: But the water is surely not given to the outlying districts at a loss?

Sir H. JAMES: Yes, it is.

*Mr. BRADLAUGH: Then all I can say is that Bury for some purposes of its own must have seen fit to supply these outlying districts with water.

*The PRESIDENT of the LOCAL GOVERNMENT BOARD (Mr. Ritchie, Tower Hamlets, St. George's): I listened with great attention to the speech of the Chairman of Ways and Means, and I think the House is under great obligations to the right hon. Gentleman for bringing under its notice such cases as the one now before us. In my opinion the Committee to whom the Bill was referred undoubtedly departed from the spirit if not the letter of the Standing Order. My right hon. and learned Friend the Member for Bury did not deal with the case fully. He simply contended that there are peculiar circumstances in the case of Bury. That may be good ground why the House should show some regard for the circumstances of Bury, but I do not think it was sufficient to justify the Committee to whom the Bill was referred, in going, as I think they did, outside their powers and entirely disregarding a Standing Order of the House, which says that no longer period than 60 years shall be allowed for the

repayment of a loan. My hon. Friend behind me (Sir J. Puleston) spoke of the case of Sheffield, and seemed to think that because the Standing Order was broken in that particular case, it might properly be broken in this case also. He even went further, and justified the breaking of the Standing Order.

SIR J. PULESTON: On the contrary, I said that I did not think we were breaking the Standing Order.

MR. RITCHIE: My hon. Friend contended that in a certain sense the breaking of the Standing Order might tend to strengthen it. Now, I attach very much value to this Standing Order, and I think it would be a misfortune if the House were to regard with equanimity the setting aside the regulations which the House itself has made for safeguarding the interests of future ratepayers. The Local Government Board are constantly met by pleas such as that which has been put forward by my right hon. and learned Friend the Member for Bury. I have had again and again to consider applications from Local Bodies for an extension of time, but it is our duty to protect the ratepayers of the future against the ratepayers of the present. There is hardly a case where a plea is made where special circumstances are not brought before the Local Government Board, which, in the opinion of the persons who press them, would not justify the Board in departing from the healthy principle of not allowing too long a time for repayment. In this case it is for the House to consider whether the circumstances are such as to call upon us to adopt the suggestion of the Chairman of Ways and Means, or, in distinct terms, to express our concurrence in the view of the Committee. If the Chairman of Ways and Means considers it his duty to persevere with the Motion he has placed on the Paper, I for one shall not complain of his action. But I think he has shown that in his opinion there is something to be said for the case of Bury, which, if the Committee are properly instructed, may entitle it to consideration, and that 70 years may be given. There is one ground to which some weight may be attached, and it is that these works were undoubtedly authorised before the passing of the Standing Order. I certainly think that that is a ground for an appeal to the House in this case. The hon. Member for Devonport (Sir J. Puleston) has implied that I laid it down as a principle in the Sheffield case that the Standing Order ought not to apply to works which had been previously authorised. I did nothing of the kind. What I did say was that no such case had been presented since the Standing Order had been passed, and that it was to prevent such things being done in the future that the Standing Order was passed. That language hardly bears the interpretation put upon it by my hon. Friend considering the fact that these works were undoubtedly authorised prior to the passing of the Standing Order, and that the Corporation were under the belief that they had been allowed 100 years for repayment of the debt—that not being an unusual period at that particular time—it is a matter for consideration whether the House will not be willing to allow the Bill to go on. If it does, I think it ought to record in the strongest manner its opinion that this is contrary to the spirit of the Standing Order, and it should do so in such terms as would distinctly prevent a precedent from being established. I would therefore suggest the adoption of a Resolution to this effect—

"That this House is of opinion that the term proposed for the repayment of money borrowed by the Corporation of Bury is contrary to the spirit of the Standing Order 173*, but having regard to the fact that the works were authorised before the passing of the Standing Order this House orders that the Bill be taken into consideration to-morrow."

MR. HOYLE (Lancashire, South-East Heywood): As it is proposed to make the term 70 years instead of 60, I think we may regard the Standing Order as being out of the way, and may consider the question on its merits. The Corporation of Bury are comparatively a new body, and they are engaged in carrying on these works under circumstances of exceptional difficulty. Bury is situated on the Irwell, and there are brick works, dye works, and other works which cast their refuse into the open river with open drains without deodorisers, emptying themselves into the Irwell. I am afraid that the last generation were so intent upon the development of trade that they paid but little attention to the health of the people, and the consequence is that the Corporation of Bury have to do the work which the last generation should

have done. The Corporation of Bury have incurred serious financial responsibilities, and when they came to Parliament in 1872 they understood that the capital sum was to be paid back in 100 years. They only ask the House now to confirm the decision of two Committees by making the term 80 instead of 100 years. They are simply endeavouring to secure the health of the people of Bury, many of whom are very poor, and if this rate of 11d. in the £1 is to remain, it will undoubtedly press most heavily on persons of small means whose life is one of continuous toil. The leading inhabitants of Bury have subscribed handsomely to recreation grounds, but if the House refuses the relief now asked for it will be thought that the burden thrown upon the people is too heavy for them to bear, and in future voluntary efforts will be abandoned. I, therefore, ask the House to reject the proposal of the right hon. Gentleman the Chairman of Ways and Means.

MR. SEXTON (Belfast, W.): The action of the right hon. and learned Member for Bury is quite natural, but I heard with some surprise the speech of the right hon. Gentleman the Chairman of Ways and Means, and that of the President of the Local Government Board. Those speeches indicated to me an alacrity in breaking the Standing Order in the case of an English Corporation, represented by an influential Member of this House; and I cannot help contrasting the course now taken with that which was taken in regard to the Corporation of Dublin, whose case presented a remarkable analogy with that of Bury. The works in regard to which the Corporation of Dublin asked for relief were authorised and executed before the Standing Order was passed; a debt considerably larger than that of the Corporation of Bury was entailed. As in the case of Bury, large outlying districts were supplied with water; it is paid for at an unremunerative rate, and the outlying townships contribute nothing to the sinking fund and nothing to the debt. Yet, when the Corporation came to this House this year for the re-arrangement of debt, they found themselves faced by officials who compelled them to cut down the period for the repayment of the debt to 55 years. The Corporation of Bury are to be allowed 70 years. I say frankly that 60 years for waterworks is too short a period, especially when we consider that in the case of many English Corporations from 70 to 100 years have been sanctioned. Therefore, considering the circumstances of Bury, that it does supply the outlying districts, and that those outlying districts contribute nothing towards the rates of Bury, I think that Bury has made out an excellent case for special treatment. Although I complain very much of the treatment of the Corporation of Dublin, I hope that my attitude on this question will secure better treatment for Ireland in the future.

MR. CHANCE (Kilkenny, S.): I think that the Irish Members are entitled to have some explanation from the Chairman of Ways and Means why Bury is to be treated better than Dublin. The object of my question is to find out why Dublin should be treated badly and Bury generously.

*MR. SPEAKER: Order, order! The question of Bury is now before the House, and it has nothing to do with the case of Dublin.

MR. CHANCE: Then I return to my original question why Bury should be treated better than Dublin, and unless I obtain some information upon the subject I shall feel it my duty to divide the House.

MR. O'DOHERTY (Donegal, N.): I presume that the Standing Order is still in existence, and that the Committee which sat upon this Bill have broken it. Why did they break it, and why should the House, in the face of its having been broken, be called upon to pass this Bill?

SIR J. PULESTON: The Committee contend that they have not broken the Standing Order.

MR. O'DOHERTY: I am quite aware of that.

SIR J. PULESTON: We say so in our Report.

MR. O'DOHERTY: I believe, and the House believes, that the Standing Order has been broken, as it was in the case of Sheffield. For my own part I see no reason for departing from the Standing Order.

MR. COURTNEY: I have no right to address the House again, but I may perhaps be allowed to say a word in explanation. I wish to say that I am

entirely in the hands of the House. If it is desired that I should withdraw my Resolution and adopt the suggestion of the President of the Board of Trade I am ready to do so, and will ask leave to withdraw the Motion. [*Cries of* "No."] I cannot do so without the assent of the House, and if that assent is refused I will certainly divide the House.

The House divided:—Ayes 178; Noes 60.—(Div. List, No. 294.)

Main Question put, and agreed to.

Bill read the third time, and passed, without Amendment.

QUESTIONS.

—:o:—

METROPOLITAN POSTMEN.

COLONEL HUGHES (Woolwich): I beg to ask the Postmaster General whether postmen at Woolwich receive 4s. a week less than the postmen in any other part of the Metropolis, although working the same hours; whether a memorial on this subject was presented to the Post Office Authorities two and a half years ago; when is an answer likely to be received; and, who is responsible for the delay?

*THE POSTMASTER GENERAL RAIKES, Cambridge University): (Mr. No, Sir. It is not the case that the Woolwich postmen are paid 4s. a week less than postmen in London. On the contrary, there are a good many London postmen whose wages are less than those received at Woolwich. Woolwich is not in the Metropolitan District for postal purposes. The memorial from the Woolwich men was duly received; but as I informed my hon. Friend early in the year, the question of making a change there depended on the settlement of the general rates for postmen's wages throughout the Metropolitan District, which has only recently been completed, and will shortly be submitted to the Treasury.

ARSENAL WORKMEN.

COLONEL HUGHES: I beg to ask the Secretary of State for War who is responsible for the delay in Government action upon the Report of the Select Committee as to arsenal workmen, entered before 1870, being entitled to superannuation?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I cannot admit that there has been any delay at all. The Government would have been much to blame if, in a matter of serious financial importance, they had not given careful consideration to the evidence given before the recent Committee.

THE WOOLWICH POST OFFICE.

COLONEL HUGHES: I beg to ask the Chancellor of the Exchequer what is the reason for the delay in obtaining Treasury sanction for the proposed new Post Office at Woolwich, recommended by the Postmaster General?

A LORD OF THE TREASURY (Sir H. MAXWELL, Wigton): Perhaps the hon. Member will allow me to answer this question. Communications are passing between the Post Office, the War Office, and the Treasury, with a view to seeing whether the necessity for a new Post Office may be obviated by the adoption of measures calculated to relieve the pressure on the present office, which is chiefly due to the large number of Army pensioners requiring to be paid by money orders.

THE WOOLER CHURCHYARD.

MR. F. MACLEAN (in the absence of Sir EDWARD GREY): I beg to ask the Secretary of State for the Home Department whether, in view of the fact that the churchyard at Wooler was to be closed by Order of the Queen in Council on 31st July, and that no new burial ground has been provided, he will take steps to see that suitable provision for burials is made in proper time?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The operation of the Order in Council in question has, on the application of the Vicar, and with the approval of the Inspector, been postponed till the 30th of November next. In the meantime, I hope that arrangements will be made for the provision of a new burial ground. I have no power to compel a parish to provide a new burial ground. All that I can do is to call the attention of the authorities to what the law requires when a burial ground is closed by Order in Council, and this I have already done in this particular instance.

IRELAND—ALLEGED OUTRAGE BY ORANGEMEN AT CORKSTOWN.

MR. BLANE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether complaints have reached him that on the 29th July an Orange drumming party paraded the streets of Cookstown, County Tyrone. and stopped in front of the Catholic Church, using offensive language calculated to lead to a breach of the peace, and that at the further end of the town they fired five shots in the presence of District Inspector Yates, Head Constable Martin, and a force of Constabulary, at a number of Catholic young men playing football in a field; and, if true, what steps the authorities intend taking in the matter?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Constabulary Authorities report that the drumming party did not stop in front of the Roman Catholic Church, nor make use of any threatening language whatever in the hearing of the police, who were with them on duty at the time. It is the case that at the further end of the town five shots were fired. They were not discharged at a number of young men playing football, but were fired in the air. The police were unable to identify the person or persons who fired the shots, as it was dusk at the time, and the crowd was a large one.

MR. BLANE: May I ask if the fact that in the party there were several men armed with fireams would not constitute the assembly an illegal assembly liable to be dispersed by force?

MR. A. J. BALFOUR: I do not think the fact mentioned by the hon. Member would of itself be sufficient to constitute the assembly an illegal one.

UNPAID CHARITY RENT CHARGES.

SIR WALTER FOSTER (Derbyshire, Ilkeston): I beg to ask the Vice President of the Committee of Council on Education, as representing the Charity Commissioners, when the Return of Unpaid Charity Rent Charges, ordered last Session, for six English counties, is likely to be completed?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): So much of the order of last Session for the Return of Unpaid Charity Rent Charges for the six English counties of Cumberland, Derby, Devon, Suffolk, Warwick, and Worcester as relates to the counties of Warwick and Worcester was discharged on the 29th of July last. The Return for the other four counties was laid on the Table of the House on the 8th inst. If a Return for the counties of Warwick and Worcester should be ordered by the House, such a Return can be prepared so as to be ready for presentation early in next year.

EXCEPTIONAL CHILDREN IN PRIMARY SCHOOLS.

DR. FARQUHARSON: I beg to ask the Vice President of the Committee of Council on Education whether his attention has been called to a draft Report on the condition of "exceptional children in primary schools," prepared by Dr. Francis Warner, as Honorary Secretary of a Committee appointed by the Psychological Section of the British Medical Association, to consider this subject, and published in the "British Medical Journal" of 27th July; and, whether, in consideration of the new and important questions in primary education treated of in this Report, he will authorise the publication of the full text of the investigations on which it is founded?

*SIR W. HART DYKE: The hon. Member has called my attention to the Report in question, and I have no doubt that the intrinsic importance of the medical questions with which it deals will obtain for it a sufficient share of public notice. I have neither the means nor the right to authorise the publication of anything in connection with the inquiry upon which the Report is based.

GOVERNMENT STOCK AND THE POST OFFICE SAVINGS BANK.

MR. OCTAVIUS V. MORGAN: I beg to ask the Postmaster General whether he is now prepared to give greater publicity to the fact that Government stock can be purchased through the agency of the Post Office Savings Bank, by means of advertisements or otherwise; whether he can state the amount at present invested through the above agency; and, whether he will cause to be re-issued, and sold at a low price, "Aids to Thrift," originally pub-

lished during the time the late Mr. Fawcett was Postmaster General?

*MR. RAIKES: In reply to the hon. Member, I have to say that I have directed a fresh notice to be issued to all Postmasters throughout the Kingdom, desiring them to exhibit in a more conspicuous place the printed notices with which they have been furnished. The amount invested through the Post Office Savings Bank on the 31st July last was £7,007,767, of which £3,003,157 has at different times been sold, leaving a balance on 31st July of £4,004,610. I have already caused the essential parts of the work called "Aids to Thrift" to be reproduced in the Post Office Handbook, price one penny, which can be obtained at any Post Office, or ordered from postmen.

WESTMINSTER HALL.

MR. DE LISLE (Leicestershire, Loughborough): I beg to ask the First Commissioner of Works whether he will engage to have the new additions to Westminster Hall completed, both within and without, before the next Session of Parliament; and whether he proposes to continue the parapet, wrought iron railings, and gas-lamps as far as the St. Stephen's entrance, after the pattern of the existing parapet, railings, and gas-lamps from the Clock Tower to the corner of the new addition to Westminster Hall; and, if so, whether he will engage to have the works completed and the rubbish cleared away as soon as possible?

MR. ROE (Derby): I beg to ask the First Commissioner of Works how soon the present hoarding on the west side of Westminster Hall will be removed and replaced with a suitable iron railing; and if he can inform the House when the scaffolding, workshops, and stone-cutting machinery, which have so long disfigured Westminster Abbey, will be taken away?

SIR H. MAXWELL: The plans for laying out the grounds adjoining the new addition to Westminster Hall, and for the construction of the necessary boundary fence are still under consideration, and until they have been approved it is not possible to begin the works. The cost will be very considerable, and it will be necessary to submit to Parliament an Estimate for provision of funds. It may, therefore, not be possible to complete the works before next Session. The Office of Works has no responsibility in connection with Westminster Abbey, but I have communicated with the rev. Canon in residence, and he assures me that the architect is using all possible despatch in the completion of the work.

IRELAND—COMMISSION OF THE PEACE—MR. JAMES BYRNE

MR. T. M. HEALY (Longford, N.): I beg to ask Mr. Solicitor General for Ireland whether he will lay upon the Table Copies of the Correspondence betwen the Lord Chancellor and Mr. James Byrne, of Wallstown Castle, resulting in the dismissal of the latter from the Commission of the Peace for acting as Justice on a charge against the police in an adjoining Petty Sessions District within his own County (Cork); whether the Lord Chancellor, when dismissing Mr. Byrne, had under his notice the decision of the Court of Crown Cases Reserved in England (Queen v. Beckley, 20 Q. B. D. 187), holding that it was distinctly legal for a Magistrate to act within his county outside his Petty Sessions District; whether Lord Coleridge in that case said,

> "In dealing with an offence committed in the county the Magistrates for the county have jurisdiction throughout the county,"

and Baron Pollock held that

> "The law is very jealous to preserve the jurisdiction of Magistrates, and their authority is not to be cut down without an express provision to that effect;"

whether if this exposition of the law in England was not reported when Mr. Byrne was dismissed, the Lord Chancellor will now reinstate him; whether as all Resident Magistrates in Ireland are allowed to sit everywhere throughout their counties and some of them in several counties, and all English Magistrates can exercise jurisdiction through all their counties, a different practice is to be established for Irish Justices or their Commissions forfeited if they act on the English Law; and whether, in consequence of Mr. Byrne's dismissal, no Catholic Magistrate and no Magistrate who is not a landlord or an agent now sits for his Petty Sessions District?

*THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I stated, in reply to a ques-

tion put by the hon. and learned Gentleman on March 13th, that the correspondence between the Lord Chancellor and Mr. Byrne, of Wallstown, had been published by Mr. Byrne, and circulated in the Press. The decision in the case quoted in the question does not appear to me to affect Mr. Byrne's case, or the reasons which induced the Lord Chancellor to act as he did. There is no analogy in the present case with the appointment of a Resident Magistrate, whose duty it is to attend, if possible, every Petty Sessions in his jurisdiction. The Lord Chancellor sees no reason whatever for reinstating Mr. Byrne. I am informed that it is not the case that no Roman Catholic who is not a landlord or an agent now sits for the district in consequence of Mr. Byrne's dismissal.

MR. T. M. HEALY: Are we to understand that the law of England is not to prevail as the law in Ireland in this matter? Can English Magistrates sit where they like; and are Irish Magistrates not being Resident Magistrates to be dismissed if they sit out of their own district?

*MR. MADDEN: The reason for which the Lord Chancellor acted in this matter was not that Mr. Byrne had violated the law by acting without jurisdiction, which was the case in the instance which the hon. and learned Gentleman has quoted. It was that he had been guilty of a reprehensible practice in sitting outside his customary district for the purpose of adjudicating on a special class of cases.

MR. T. M. HEALY: I will call attention to this matter on the Estimates.

MR. COX: Will the Lord Chancellor take notice of all Magistrates who sit outside their own district?

*MR. MADDEN: A similar practice on the part of any other Magistrate coming to the notice of the Lord Chancellor will, I have no doubt, be dealt with in a similar manner.

ALLEGED OUTRAGE ON FISHERMEN BY THE IRISH CONSTABULARY.

MR. BLANE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been called to the fact that, by direction of Sub-Inspector Bigley, of Lurgan, County Armagh, Acting Sergeant Beyers, and three other constables, fired upon a boat containing three fishermen, named James Robinson, John Robinson, and John Campbell, on the River Bann, and that, when remonstrated with by the fishermen on their conduct, the Sergeant pointed his rifle at John Campbell, and threatened "to shoot him to hell," if he spoke another word; and whether, since the Magistrate at Portadown has granted a warrant for the arrest of Acting Sergeant Beyers, the Government will take any steps in the prosecution?

MR. A. J. BALFOUR: The Constabulary authorities report that District Inspector Bigley gave no such direction as alleged in the question, nor was he present on the occasion referred to. Robinson has alleged that Acting Sergeant Beyers fired at him, but the Acting Sergeant denies the charge. He has been admitted by the Magistrate who issued the warrant to bail in his own recognisance of £20. A summons has been issued by the District Inspector against Acting Sergeant Beyers, which will come on for hearing at the Lurgan Petty Sessions on the 20th inst.

MR. BLANE: Were the cartridges of these men examined when they came in? because they are issued in certain numbers.

MR. A. J. BALFOUR: I do not profess to have looked into the evidence, nor do I think it would be proper to do so as the case is coming on for trial.

MR. BLANE: Does the right hon. Gentleman know of any case in which a person firing at another was released on a £20 bail?

MR. A. J. BALFOUR: I presume that the Magistrate did not think that the constable fired at any particular individual, but I cannot give the hon. Member any other information than that.

THE RIVER LEA.

SIR JOHN COLOMB: I beg to ask the President of the Local Government Board what action has been taken by the Department with reference to complaints made by the Poplar District Board of Works relative to the insanitary condition of the River Lea?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I have communicated with the Corporation of West Ham with reference to the allegations of the Poplar District Board of Works, and I am awaiting their

reply. I have also directed one of the Engineering Inspectors of the Board, who has made previous inquiry as to the discharge of sewage into the River Lea by the West Ham Corporation, to visit West Ham and to report the result of his inquiries. His previous engagements have prevented his visiting the works until to-day. I expect shortly to have his Report.

THE CARLOW POST OFFICE.

MR. SEXTON (in the absence of Mr. BYRNE): I beg to ask the Postmaster General if he is in a position to state what progress, if any, has been made with the new Post Office for Carlow; and, whether he will urge the Department to proceed with the arrangements as quickly as possible?

*MR. RAIKES: I am informed by the Board of Public Works that owing to unexpected difficulties the work of adapting the premises taken for the new Post Office at Carlow has not yet been commenced; but that it will be pressed on as quickly as possible.

THE STARR BOWKETT BUILDING SOCIETY.

CAPTAIN HEATHCOTE: I beg to ask the Secretary of State for the Home Department whether he is aware that the Stoke and Fenton 235th Starr Bowkett Building Society has not sent to the Registrar of Building Societies their returns for 1888, as required by 37 and 38 Vict. cap. 42, section 43; and whether he will take such measures as may be necessary to compel this Society to forward their returns for 1888 to the Registrar?

MR. MATTHEWS: I am informed by the Registrar of Friendly Societies that the Society in question informed him in December last that, owing to the large number of withdrawals, arrangements were being made for winding up. No formal intimation, however, of the announced winding up has been received, and the Registrar will in a few days send the usual notice requiring a statement of accounts for the year ending July, 1888. It is, therefore, premature at present to say whether it will be necessary to take any action.

MR. BRADLAUGH: Is the right hon. Gentleman aware that the evidence taken upstairs showed that the Registrar has completely neglected his duties as to enforcing the sections of the Friendly Societies Act?

MR. MATTHEWS asked for notice of the question.

IRELAND—LAND COMMISSION—MR. BABINGTON.

MR. CAREW: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, with reference to the appointment of Mr. Hume Babington by the Chief Land Commission as Court Valuer to inspect certain holdings near Downpatrick in cases of appeals recently heard there, and in which Messrs. Wrench and Litton have not yet given their decisions, whether he can now state if this Mr. Babington is a land agent in County Armagh; whether he invariably gave evidence on behalf of landlords in fair rent cases in County Antrim and County Derry; and, whether he will direct the attention of the Land Commission to these facts, and also to the desirability of appointing to inspect these holdings some independent valuer who is neither in the employment of the landlords nor the tenants?

MR. A. J. BALFOUR: This question does not appear to be substantially different to the one put down by the hon. Member for South Down on the 30th of July, and I do not think I have anything to add to the reply then given.

MR. CONYBEARE, M.P.

MR. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will give the date of the medical report which has been received respecting Mr. Conybeare's health; whether it made any, and what, reference to the repeated complaints made by Mr. Conybeare as to the rheumatic affection from which he is suffering, or to the complaints made by Mr. Conybeare respecting the weakness of and pain in his eyes, which he attributes to the whitewashed walls of his cell; whether, inasmuch as Mr. Conybeare complains of suffering constant pain, sometimes so severe as to entirely cripple him and prevent him from walking, he will have further and fuller reports sent as to Mr. Conybeare's condition; whether it is the fact that on Monday last Mr. Conybeare could get only half an hour's exercise, owing to the wet weather, and on Tuesday he and all other prisoners were confined to their cells the whole

day, in consequence of the rain; whether, in view of these facts, he will reconsider his opinion that no sheltered exercise ground is needed; and, whether there is any other prison in England or Ireland in which first-class misdemeanants are confined to one small cell similar to that which Mr. Conybeare is compelled to occupy?

MR. WILLIAM M'ARTHUR: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will request the General Prisons Board of Ireland to direct the doctor of Londonderry Gaol at once to make a careful examination into the state of the eyesight of Mr. Conybeare, M.P.?

MR. A. J. BALFOUR: The notice is insufficient to deal with these questions.

MR. MAC NEILL: Well, will the right hon. Gentleman give me the assurance that a special officer will be sent to examine into Mr. Conybeare's eyesight?

MR. A. J. BALFOUR: I cannot do that. The surgeon to the gaol is a most competent man, and I have not the slightest fear that the hon. Member will be neglected.

MR. MAC NEILL: But the right hon. Gentleman is aware that the prison doctor is a mere general practitioner, and not a specialist.

MR. W. M'ARTHUR: Will the right hon. Gentleman request the General Prisons Board of Ireland to direct the doctor of Londonderry Gaol to at once make a careful examination into the state of Mr. Conybeare's eyesight.

MR. A. J. BALFOUR: The Prisons Board are perfectly alive to the health of every person in the Irish prisons, and I know they are watching this case with great care.

DR. KENNY: May I ask the right hon. Gentleman to give a general order on the question of the colouring of the cells? The matter has been already under discussion amongst the authorities and they are all agreed on the matter.

MR. A. J. BALFOUR: I am not aware that the authorities are agreed on the matter. There has been no evidence brought before me that leads me to believe that the present system of colouring the walls of prison cells is deleterious to the eyesight of the prisoners. However, I will bring the matter before the Irish Prisons Board and take their opinion on it.

MR. T. M. HEALY: Is the right hon. Gentleman aware that when the hon. Member for North East Cork (Mr. W. O'Brien) was in Tralee Gaol, and made representations as to the distress caused to him by the white colour of the walls, the Governor of the gaol had the evil remedied in the twinkling of an eye—causing the walls to be brown-washed? I would ask the right hon. Gentleman is it worth while to keep this question open such a length of time when, with so little trouble, the grievance of the hon. Member for Camborne could be removed?

DR. KENNY: I beg to give notice that I will call attention to this matter on the Estimates.

PRISONERS AND THE PRESS.

MR. WILLIAM M'ARTHUR (Cornwall, Mid, St. Austell): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is the fact that the General Prisons Board of Ireland have detained a letter from Mr. Conybeare, containing a paper written by that hon. Member for the editor of the *Mining Journal;* whether the paper contained anything more than a mere expression of Mr. Conybeare's views upon the question of mining royalties, which the editor of the journal had asked him to send, with the object of comparing them with the views of other Representatives of mining constituencies who had already contributed similar expressions of opinion on this important question; whether there was in the hon. Member's paper any reference to controversial topics connected with the causes of his imprisonment, or with Ireland generally; and whether, under the circumstances, he will direct that the hon. Member's letter may be permitted to pass?

MR. A. J. BALFOUR: The General Prisons Board report that a communication from Mr. Conybeare intended for the Press was submitted by the Governor of Londonderry Prison on the 31st ult., and in accordance with the established practice of the service he was informed in reply that no prisoner of any class is permitted to write to the Press. It would, in the opinion of the Prisons Board, be wholly incompatible with the maintenance of prison disci-

pline if a contrary course were permitted.

MR. T. M. HEALY: May I ask—as the right hon. Gentleman has now made a definite statement that no prisoner of any class can now be permitted to write to the Press—whether the rule has been in existence since January 1, 1883, or whether it has only been introduced by the right hon. Gentleman himself?

MR. A. J. BALFOUR: The Prisons Board have given me the information which I have given to the House. I know no more about the subject. If the hon. and learned Gentleman will put a further question on the Paper I will endeavour to answer it.

MR. MAC NEILL: Does the right hon. Gentleman not know that Mr. E. Yates and Mr. Stead were allowed to conduct their respective journals when in prison?

MR. A. J. BALFOUR: A question of that kind ought to be addressed not to me, but to the Home Secretary.

MR. MAC NEILL: Then I will ask the right hon. Gentleman a question as to prison discipline in Ireland. Does not the right hon. Gentleman know that the late Richard Pigott, when in prison as a first-class misdemeanant in 1866, was allowed to conduct his newspapers?

POST OFFICE APPOINTMENTS.

MR. BRADLAUGH (Northampton): I beg to ask the Postmaster General whether he is aware that it has been the practice to announce in the Official Postal Circular vacancies occurring in Postmasterships, &c., and the date by which application to fill such vacancy could be sent in; whether such practice has recently been departed from; whether a recent Post Office Circular contains the record of 10 appointments, all made without any previous announcement that a vacancy existed; and whether he will state to the House the reasons for the change?

*MR. RAIKES: I am quite aware of the practice to which the hon. Member refers, and no change has been made as regards the general custom. I must, at the same time, say that I am under no obligation to maintain the practice. The hon. Member is mistaken in supposing that in the case of the 10 appointments to Postmasterships recently made no previous announcement of a vacancy had appeared. The fact is that only four Postmasterships were vacant, and they were all notified in the usual way in the Post Office Circular. The candidates selected to fill these four vacancies were all Postmasters, and with the view of giving as wide and simultaneous a flow of promotion as possible I selected others from among the candidates, several of whom were themselves Postmasters, to fill the posts thus rendered vacant.

OLD CALABAR.

MR. BUCHANAN (Edinburgh, W.): I wish to ask the Under Secretary of State for Foreign Affairs whether he can communicate to the House the substance of the Report of Consul Hewett on the outrage committed at Old Calabar on the 25th of February last; and what representations have been made by Her Majesty's Government to the Government of Germany on the subject?

*SIR J. FERGUSSON: Satisfactory explanations have been received from the German Government upon the subject; but it is not considered necessary to present any Papers.

RABBIT COURSING.

MR. BUCHANAN: I desire to ask the Home Secretary whether he has received memorials from Bath, Newcastle, and other places as to the continuance of the alleged cruel practice of "rabbit coursing" in enclosed places; and whether he will take into consideration the expediency of amending the Cruelty to Animals Act, so as to deal with this practice?

MR. MATTHEWS: Yes, Sir. I have received such memorials. While greatly disapproving of the cruelty sometimes displayed in rabbit coursing, as described in the memorials, I do not see my way to the possibility of amending the law in the present state of public business.

MR. BUCHANAN: Can the right hon. Gentleman give a promise, or hold out any hope, that the question will be dealt with by legislation next Session?

MR. MATTHEWS: The hon. Member will acknowledge that it would be extremely imprudent on my part to hold out any hope of the kind.

OMNIBUS HORSES.

MR. PENROSE FITZGERALD (Cambridge): I wish to ask the Secretary of State for the Home Department whether his attention has been called to complaints that have been made to the police authorities of the bad condition and unfitness of the horses being worked in certain omnibuses in London; and whether he proposes to take any steps towards putting a stop to the practice of using unfit horses in public vehicles by giving the police authorities power to withhold or withdraw licenses from proprietors who do not possess horses adequate, in the opinion of said authorities, for the services they undertake to perform, or otherwise?

MR. MATTHEWS: I am informed by the Commissioner of Police that during the year he has received complaints as to the unfitness of horses from six private persons. In consequence of these complaints inspection was ordered by the Commissioner of Police in exercise of the power vested in him by 16 and 17 Vict., c. 33, s. 2, and a veterinary surgeon was called in to report on the studs of three proprietors. In the case of two of these proprietors the inspection showed that the horses were all fit for work. In the case of the third proprietor four horses were reported unfit. If these horses are worked notices as usual will be issued, and if they are disregarded the license is liable to be revoked. The police are fully alive to their duties in this respect, and, in the opinion of the Commissioner, the provisions of the existing law are adequate for the purpose.

MR. O'HANLON (Cavan, E.): Is the right hon. Gentleman aware that omnibus companies and tramway companies increase their fares by double the amount on Bank holidays?

*MR. SPEAKER: Order, order!

H.M.S. *SULTAN.*

MR. EDMUND ROBERTSON (Dundee): I beg to ask the First Lord of the Admiralty, whether, since the full Minutes of the Proceedings at the inquiry into the loss of the *Captain*, in 1870, and of the proceedings at the inquiry into the loss of the *Vanguard*, in 1876, were laid before Parliament, he would explain in what respect, if any, the inquiry into the loss of the *Sultan* differed in character and purpose from these inquiries?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): In the case of the loss of the *Captain* and the *Vanguard* the only inquiry held was under Court Martial. In the case of the *Sultan* an investigation both by Court Martial and by a Court of Inquiry was held. I am not aware that the proceedings of any naval Court of Inquiry have ever been laid before Parliament. In the present instance the proceedings, both of the Court Martial and of the Court of Inquiry, have been published *in extenso* through the daily Press, but I must decline to make the proceedings of the Court of Inquiry a Parliamentary Paper.

MR. E. ROBERTSON: Has there been an Admiralty Minute prepared as to this inquiry, and, if so, will it be laid before the House?

LORD G. HAMILTON: No, Sir. If the hon. Gentleman will look into the circumstances of the *Vanguard* inquiry, he will see that that inquiry bears no analogy to the inquiry into the loss of the *Sultan*, consequently no Minute will be prepared.

MR. HANDEL COSSHAM (Bristol, E.): When one of Her Majesty's ships is lost, is it not right that all information concerning such loss should be given to the House of Commons?

LORD G. HAMILTON: Any hon. Member desiring to have full information can obtain it by consulting the published reports of the proceedings.

MR. E. ROBERTSON: I beg to give notice that I will call attention to this subject on the Appropriation Bill.

THE CASE OF MURPHY.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department whether it is true that a constable of the X Division of the Metropolitan Police has just been dismissed the service, on the ground that he was "grievously suspected of giving false evidence;" and, whether it was upon the evidence of this constable that a costermonger named Thomas Murphy (who upon his trial set up an *alibi*) was in December last convicted and sent into penal servitude; and, if so, what action he proposes to take in the matter?

MR. MATTHEWS: A constable of the X Division has been dismissed from the service on the ground that he had made false statements with reference to the discharge of his duties as a police officer, and with reference to immoral conduct discreditable to the force; and also on the ground of grave suspicion attaching to the truth of a charge made by him. The case against Murphy rested principally on the evidence of this constable, and after full consideration and consultation with the learned Judge I have thought it right to release Murphy on license.

IRELAND—PRISONERS UNDER THE CRIMES ACT.

MR. O'DOHERTY (Donegal, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the directions given by the Lord Lieutenant of Ireland, under the 14th section of "The Crimes Act, 1887," make any and what provision for counsel and solicitors of persons charged, and where may those directions be found; are those directions distinct from the rules under the 15th section; do the scales made under the latter rules relate to anything but the travelling and maintenance of the accused and their witnesses; would he state specifically whether the Gweedore prisoners to be tried in the Queen's County at a special session of the Assizes in October will receive from the Crown full and adequate aid to enable them to retain and keep the counsel and solicitors engaged and instructed for their defence before the charge of venue; and, whether there is any scale to meet such a case; and, if not, will he see that one is provided as directed by the Act?

MR. A. J. BALFOUR: The directions of the Lord Lieutenant, under Section 14 of the Crimes Act, do make provision for counsel and solicitors of persons charged. These directions are embodied in Treasury regulations and are at Dublin Castle. They are distinct from the rules under Section 15. The Gweedore prisoners will, of course, receive from the Crown the same aid as that already given to other prisoners in change of venue cases under the Treasury scale existing.

MR. O'DOHERTY: Is the right hon. Gentleman not aware that that only refers to travelling expenses, and that no person has ever received anything except for travelling expenses?

MR. A. J. BALFOUR: I gather from the information supplied to me that what is done is this: There has been provision made for the travelling expenses of witnesses and for maintenance, and in addition to that I believe there is provision made for solicitors and for counsel—under Sections 14 and 15. That is the impression I gather.

MR. O'DOHERTY: Will the right hon. Gentleman state where these directions are to be found—in what Treasury Minute?

MR. A. J. BALFOUR: I do not know whether there is any objection to make known the contents of the Treasury Minute, but I will inquire into the matter.

"BAD CHARACTERS" IN ENNIS.

MR. COX: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will give the names of the "bad characters" with whom Martin M'Namara, hon. Secretary Crusheen Branch Irish National League, was associating with in Ennis, which led to his arrest in that town on the 25th ultimo?

MR. A. J. BALFOUR: From the Report received from the Constabulary Authorities it appears that M'Namara was observed to associate with several suspects of the district. I think it would be contrary both to precedent and to the public interest to publish the names of such persons.

MR. COX: I must press this question. The right hon. Gentleman has stigmatised as bad characters some of the most respectable inhabitants of the town of Ennis and the County of Clare, some of whom may be, for aught I know, friends of my own. I want to learn the names of the persons to whom he referred. Will he repeat his cowardly and contemptible slanders outside the House? [*Loud cries of* "Order!"]

*MR. SPEAKER: Order, order! The hon. Member must know that he is not entitled to use that language.

MR. SHAW LEFEVRE: I would ask the right hon. Gentleman what is meant by the term "suspects." Is it a term known to law?

*MR. A. J. BALFOUR: It is not a term known to law. I did not use it in a legal sense.

MR. SHAW LEFEVRE: What is the meaning of the phrase?

*MR. A. J. BALFOUR: Persons who are under suspicion, I suppose.

MR. COX: I rise to ——

*MR. SPEAKER: Order, order!

LAND CASES FROM STRANORLAR.

MR. ARTHUR O'CONNOR (Donegal, E.): I beg to ask Mr. Solicitor General if he is aware that several hundreds of cases, served for hearing before the 1st November, 1887, in the Land Courts in the Union of Stranorlar alone, are still undealt with, and that the tenants are being processed in large numbers at every sessions for the old rents; and, whether he can account for the extraordinary delay in hearing these cases?

MR. A. J. BALFOUR: The Land Commissioners report that there are 484 cases from the Union of Stranorlar unheard, and which were received before November 1, 1887. I am not aware that the tenants are being processed in large numbers for the old rents. But even were such the case, their interests are safe-guarded by the existing statutes. A Sub-Commission has been sitting continuously in County Donegal since September, 1888, and the several unions have been taken up in their turn. The last sitting for the union referred to was in December, 1888, and there will be another sitting early next Circuit for the same district. All the Sub-Commissions have been working continuously throughout Ireland and are constantly engaged. It has not been possible to arrange for more frequent sittings. The Commissioners anticipate that if the Bill introduced this week by the Government becomes law this Session, the disposal of outstanding applications to fix judicial rents will be much expedited.

THE REPORT OF THE ROYAL COMMISSION ON EDUCATION.

MR. DE LISLE (Leicestershire, Mid.): I beg to ask the First Lord of the Treasury whether he will give an assurance that no new Education Code will be laid upon the Table of the House of Commons next Session, nor any fresh educational legislation be proposed by Her Majesty's Government, until the Report of the Royal Commission upon Education has been amply and in detail discussed in both Houses of Parliament?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): We are, I think, accustomed to "ample" discussion in this House, and I do not know what interpretation the hon. Gentleman would give to such an engagement as he desires me to enter into. I am extremely sorry it is not in my power to make him any pledge on the subject.

MR. DE LISLE: Will the right hon. Gentleman undertake that we shall have an opportunity of discussing this matter early next Session?

*MR. W. H. SMITH: No; I cannot undertake to provide a special time for such discussion. The hon. Gentleman is aware that hon. Members themselves are able to raise discussions on questions of this character.

A COURT FOR CRIMINAL APPEALS.

MR. FRANCIS MACLEAN (Oxford, Woodstock): I beg to ask the First Lord of the Treasury whether Her Majesty's Government will consider the advisability of introducing a Bill next Session for the constitution of a Court of Appeal in Criminal Cases?

*MR. W. H. SMITH: The question of the hon. Member is one of great importance; but I am sure he will see that it is not in my power to give him an answer to a question which would have to be considered by the whole Government.

MR. F. MACLEAN: I beg to give notice that as early as possible next Session I will call the attention of the House to the question of the advisability of constituting a Court of Appeal in criminal cases, and move a Resolution.

THE MERCHANDISE MARKS ACT IN THE COLONIES.

MR. MUNDELLA (Sheffield, Brightside): I beg to ask the Under Secretary of State for the Colonies which of our Colonies have adopted the principles of the Merchandise Marks Act, how many have failed to do so, and what steps are being taken by the Colonial Office to secure uniformity in that respect?

BARON H. DE WORMS: Laws similar to the Merchandise Marks Act are in force in the following Colonies:— Canada, Newfoundland, the Cape of

Good Hope, Natal, Western Australia, Jamaica, British Guiana, British Honduras, Trinidad and Tobago, Grenada, St. Vincent, St. Lucia, the Leeward Islands, the Falkland Islands, St. Helena, Sierra Leone, the Gambia, the Gold Coast, Lagos, Gibraltar, Ceylon, Mauritius, and the Straits Settlements. The Governments of the following Colonies have promised to introduce similar legislation:—Victoria, Queensland, South Australia, Tasmania, New Zealand, Bahamas, Barbados, Malta, and Hongkong. In Fiji, Heligoland, and Labuan, it has not been considered necessary at present to legislate, but the Governors will be instructed to do so. In Bermuda a Bill has been introduced by the Government, but has been rejected by the Legislature. The Government of New South Wales has not yet signified its intention of adopting the principles of the Act, and the Governor has been recently requested to report on the subject. The Secretary of State has taken the necessary steps to secure uniformity of legislation in Crown Colonies, and he trusts that in those Colonies in which the Crown has no control over legislation (with the unimportant exception of Bermuda) uniformity will shortly be established.

IRELAND—THE RELEASE OF FATHER STEPHEN

MR. MAC NEILL: I beg to ask the Chief Secretary for Ireland whether Father Stephen, the priest of Falcarragh, who was sentenced to six months' imprisonment on account of circumstances connected with the Gweedore evictions, was yesterday discharged from Derry Gaol two months before the expiration of his sentence; and, if so, what are the grounds for his discharge?

MR. A. J. BALFOUR: It is true that Father Stephen has been released; the ground of his release is failing health.

MR. MAC NEILL: I have received the following telegram from Father Stephen:—"I have never pleaded ill-health, and my health is still good."

MR. A. J. BALFOUR: I am perfectly aware that Father Stephen never pleaded ill-health, but the doctor, on observing a loss of weight, advised his release.

IMPRISONMENT OF MR. CONYBEARE.

MR. MAC NEILL: I beg to ask whether Mr. Conybeare was sentenced yesterday to be deprived for a week of all newspapers, and, if so, on what ground, having regard to the fact that the Irish Estimates are now being discussed?

MR. A. J. BALFOUR: I know nothing about the subject of this question, nor can I for a moment see what relevancy the Irish Estimates can have to the sentence alleged to have been passed.

PROGRESS OF BUSINESS.

MR. W. M. MURPHY (Dublin, St. Patrick's): May I ask when the Vote for the Dublin Metropolitan Police will be taken?

MR. A. J. BALFOUR: We are now taking the Magistrates' Vote out of its order in deference to the wish of the Irish Members. We propose, however, to take the rest of the Votes in their order.

DR. FARQUHARSON (Aberdeenshire, W.): Is it intended to take the second Order to-night—the Infectious Diseases Notification Bill?

*MR. RITCHIE: I should be glad to take it to-night if the Irish Estimates are finished before 12 o'clock.

MR. T. M. HEALY: When the Government bring in the Expiring Laws Continuance Bill, do they intend to include in it the first section—the Leaseholder's Section—of the Act of 1887, so as to give leaseholders a little additional time to go into Court?

MR. A. J. BALFOUR: Yes; it will be included.

MR. T. E. ELLIS: Will the Tithe Rentcharge Bill be taken on Monday?

*MR. W. H. SMITH: Yes; and we hope to be able to make considerable progress with it. I think I may now refer to the notice I gave last evening with reference to a Saturday sitting. I was under the impression that hon. Members would gladly avail themselves of the opportunity to shorten the Session by a Saturday sitting; but information has been communicated to me from various parts of the House, and

especially from hon. Gentlemen below the Gangway, that a Saturday sitting would be extremely disagreeable to them. Under these circumstances, I do not wish to occupy time by discussion, and will therefore not proceed with the notice which stands in my name. In taking this course I hope I may appeal to hon. Members in all parts of the House to make such reasonable progress with the business as will afford a chance to hon. Members, who, I believe, are generally desirous of returning to the country as early as possible. Of course it is the duty of the Government to remain as long as it may be necessary; but I believe there are very many hon. Gentlemen who would be exceedingly glad to see the end of the Session, and I appeal with confidence to hon. Gentlemen not to prolong discussion beyond what is reasonable and necessary.

MR. CHANNING (Northamptonshire, E.): Will the Tithe Rent-Charge Bill be the First Order of the Day on Monday?

*MR. W. H. SMITH: Substantially, the Tithe Rent-Charge Bill will be the First Order on Monday.

MR. COSSHAM: I would ask whether pressing forward the Tithes Bill is not contrary to the statement the right hon. Gentleman has just made, that he desires to save the time of the House?

*MR. W. H. SMITH: I have already stated that the Government feel themselves compelled to take the judgment of the House on this Bill.

MR. PICKERSGILL: Does the Secretary to the Treasury intend to proceed to-night with the London County Council (Money) Bill?

MR. JACKSON: Yes. I do not think there is any opposition to it.

INDIAN TELEGRAPH DEPARTMENT.

SIR ROPER LETHBRIDGE (Kensington, N.): I beg to ask the Under Secretary of State for India whether the Government of India recognises the preferential claim of officers who have served a great number of years in the Indian Telegraph Department, and who have entered that Department in its lower grades, to the higher offices in the Department as they fall vacant?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): In making promotions in the Telegraph Service the Government of India have regard, first, to personal fitness, and, secondly, to length of service.

SIR ROPER LETHBRIDGE: I beg to ask the Under Secretary of State for India what is the total amount of the pensions now payable in England to members of the Indian Telegraph Department; and what would be the extra cost if those pensions were paid in sterling?

SIR J. GORST: The amount is Rs. 89,758 11 annas. The extra cost of paying in sterling would be £2,804 19s. 4d., at the present official rate of exchange.

MESSAGE FROM THE LORDS.

That they have passed a Bill, intituled "An Act for further promoting the Revision of the Statute Law by repealing superfluous expressions of enactments which have ceased to be in force or have become unnecessary." [Statute Law Revision Bill [Lords.]

That they have agreed to Settled Land Acts Amendment Bill, Companies Clauses Consolidation Act (1888) Amendment Bill; Amendments to Marriages (Basutoland, &c.) Bill [Lords], Court of Session and Bill Chamber (Scotland) Clerks Bill.

STATUTE LAW REVISION BILL [LORDS.]

Read the first time; to be read a second time upon Tuesday next, and to be printed. [Bill 371.]

MESSAGE FROM THE LORDS.

That they have agreed to Cruelty to Children Prevention Bill, now Prevention of Cruelty to, and Protection of, Children Bill; Local Government (Scotland) Bill, with Amendments.

LUNACY ACTS AMENDMENT BILL. [LORDS.]

Lords Reasons for disagreeing to certain of the Amendments made by the Commons, and Lords Amendments to the Commons Amendments, and Consequential Amendment to the Bill, to be considered upon Monday next, and to be printed. [Bill 370.]

ORDERS OF THE DAY.

—o—

SUPPLY—CIVIL SERVICE ESTIMATES.

Considered in Committee.

(In the Committee.)

CLASS III.

Motion made, and Question proposed,

"That a sum, not exceeding £84,062, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, for the Salaries, Allowances, and Expenses and Pensions of various County Court Officers, of Divisional Commissioners and Magistrates in Ireland, and the Expenses of Revision."

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): It might perhaps be in accordance with the wishes of the House that I should make a short explanation, almost in the nature of a personal explanation, with regard to an episode which occurred in the course of my speech last night on this Vote. It will be recollected that one of the subjects that came up for discussion was the conduct of Mr. Cecil Roche and Colonel Turner in declining to subscribe to the Kerry Hunt, and I stated that one of the reasons which I understood to influence these gentlemen was that they were of opinion that the attacks made upon them in the newspaper of an hon. Member who was on the committee of that hunt were of such a kind as to make it impossible for them to continue their connection with the hunt any longer. I read out certain phrases which I had understood afforded some of the grounds on which these two gentlemen had come to their decision. The hon. Member referred to appeared to dispute the general accuracy of the phrases, and I have done my best since then—I have not had much time—to discover how far the view which I understand to be the view of Mr. Cecil Roche and Colonel Turner, is absolutely justified by the contents of the newspaper in question—the *Kerry Sentinel*. The *Kerry Sentinel* is in the habit of giving publicity to the resolutions of various branches of the Land League in that part of Ireland——

*THE CHAIRMAN: The right hon. Gentleman proposes to justify the opinion of the Magistrates by citations from a newspaper. I think that is introducing a new element into the Debate foreign to the question.

MR. A. J. BALFOUR: On the point of order, Sir, may I point out this to you? The contention of the two gentlemen in question, Mr. Cecil Roche and Colonel Turner, whose conduct was publicly called attention to in the House, was based on certain expressions which they said, or thought, were used in the *Kerry Sentinel*. The reply made was that these expressions were not used in the newspaper; therefore, I would ask you, Mr. Courtney, whether it would not be relevant to the Debate to point out that, as a matter of fact, absolutely equivalent expressions have been so used?

*THE CHAIRMAN: That would be wandering into an entirely new controversy. The only question is as to the accuracy of the representation of the views entertained by those two Magistrates. As to going into a justification of the views, I do not think that would be regular.

MR. A. J. BALFOUR: Of course, I do not wish to press the point; but I would ask, is not the accuracy of the representation dependent upon the fact that those quotations did occur in the newspaper in question? If they did occur, the representation of the views of the Magistrates would be correct; if they did not occur, it would be incorrect. In that way would not this matter be relevant?

*THE CHAIRMAN: No, I think not. The point raised last night was, the justification of the right hon. Gentleman in making his statement in which he represented the views of the Magistrates. The point is the justification of the right hon. Gentleman, not of the Magistrates who held these views.

MR. A. J. BALFOUR: Mr. Courtney, the Magistrates were attacked.

*THE CHAIRMAN: Not in relation to this.

MR. A. J. BALFOUR: Then may I not justify myself?

*THE CHAIRMAN: If the right hon. Gentleman proposes to adopt the language last night as representing the views of the Magistrate and wishes to make that language his own, he will in that case be justified in going into this evidence. But I would strongly deprecate such a course as fatal to the conduct of business.

MR. A. J. BALFOUR: In the face of your strongly-expressed opinion, Sir, I shall abstain from going into the matter further.

MR. J. W. LOWTHER (Kent, Thanet): On the point of order, may I ask, Mr. Courtney, whether the right hon. Gentleman would be entitled to reply to a question on the subject of the language actually used?

*THE CHAIRMAN: Order is generally preserved by paying deference to the wishes of the Chair, and the right hon. Gentleman has elected to do that.

MR. E. HARRINGTON (Kerry, W.): I should be very happy, indeed, if you saw your way to afford the Chief Secretary the facility he desires. The charge last night was that I in my paper did use that language, and I call upon the right hon. Gentleman to substantiate it.

*THE CHAIRMAN: That is not quite what was said last night. But I appeal to both sides of the House after the expression of opinion that has fallen from the Chair to let this digression cease.

MR. T. M. HEALY (Longford, N.): I will pass over the incident of last night, merely remarking that the Chief Secretary, through his secretary or his secretary's secretary, may easily manage by letters to the newspapers to fully explain his position. The matter upon which I first wish to ask a question is strictly relevant to this Vote, and has reference to the action of the Government in regard to Resident Magistrates. These Resident Magistrates are allowed not merely to practice in a particular Petty Sessions district, they are armed with powers to sit in various counties throughout Ireland. About four months ago the Chancellor of the Exchequer gave a distinct pledge that a Paper would be laid upon the Table explaining the position of the Divisional Commissioners. I had never seen any Paper explaining under what circumstances these gentlemen were placed in their new position. They started as ordinary Resident Magistrates, and remained so until Mr. Forster issued what was called his "satrap circular" making them Divisional Magistrates, dividing Ireland into six, and placing one man over each Division. It will be remembered that the Auditor General stigmatised the proceeding as "grossly illegal," and it was the subject of discussion during the whole of a night in this House. It shows extraordinary elasticity and suppleness in the law that when Government cannot get the salaries of these gentlemen as Divisional Magistrates, they can elude the Auditor General by turning them into Divisional Commissioners. The Lord Lieutenant shifts the slide, the Lord Chancellor turns on his limelight, and these gentlemen blaze forth as Divisional Commissioners with judicial functions in 12 counties. Then I come to the Resident Magistrates, and first to Mr. Cecil Roche, of whom I wish to speak with the utmost respect due to him personally, and to his office, or as I may say offices. Mr. Cecil Roche began official life as a Land Commissioner, and in that capacity it may be remembered how he punished Lord Annaly by cutting down his rents. Mr. Cecil Roche had a quarrel with Lord Annaly, and that nobleman got it hot and heavy from Mr. Cecil Roche. To use a common expression, he "wired into" Lord Annaly with equal energy to that he has since displayed against my hon. Friend and the Nationalists of Kerry. For private reasons, into which I will not enter, Mr. Cecil Roche left the position of Land Commissioner and became a Resident Magistrate. As a Land Commissioner he had £1,000 a year and expenses. How it was that he was compelled or induced to become a Resident Magistrate with £450 a year I will not now inquire into. He was appointed to Kerry, and there he carried out the views of the Government so well that they increased his salary and jurisdiction. They made him a Magistrate of the County of Clare. Now the practice of these gentlemen is to travel from one Licensing Sessions to another, and whenever a Nationalist publican applies for a renewal of his license in Clare, Mr. Cecil Roche sails up from County Kerry, and takes his seat on the Bench to secure the refusal of the license. And this brings me to the case of Mr. James Byrne and the manner in which he has been treated. How can the Lord Chancellor defend his action with respect to Mr. James Byrne, a tenant-farmer in the neighbourhood of Mallow and a Justice of the Peace? Mr. Byrne is a moderate politician, but he was an old member of the Tenants' Defence League ten or more years ago. It happened that at the Sessions at

Fermoy, which is 10 miles from Mallow, where Mr. Byrne resided, there was a case in which the police were charged with having batoned the people. Mr. Byrne came up from Mallow, and sat on the Bench during the trial, and for thus sitting outside his district Mr. Byrne's name was removed from the Commission of the Peace. At the same time Mr. Eaton, R.M., was brought from Mitchelstown, a distance of 15 miles. It was all right for him to come, and he was paid for it, but because the unpaid Magistrate came a lesser distance he was dismissed from the Commission. This I say is a scandalous exercise of the authority of the Lord Chancellor. How does the law stand as laid down in a case decided as recently as two years ago? The action of the Lord Chancellor is in absolute opposition to the law laid down in England in the case of "The Queen *v.* Bickley," in which the Queen's Bench, upholding the decision of Quarter Sessions, held that a Magistrate's jurisdiction extends to the whole county, and is not confined to his own Petty Sessional district. Such is the decision of Lord Coleridge and Baron Pollock. Why, then, was Mr. Bryne dismissed?

THE CHAIRMAN: This is a point that does not arise under the Vote.

MR. T. M. HEALY: The point I wish to raise is the difference of treatment of Mr. Eaton and Mr. Byrne.

THE CHAIRMAN: The action of a Resident Magistrate in acting outside his district is another point; the hon. Member was going beyond that.

MR. T. M. HEALY: What I urge is that the treatment applied to Mr. Byrne should be equally applied to Mr. Eaton, and all the rest of the noble army. Why is that which is forbidden to Mr. James Byrne conceded to Resident Magistrates in whom nobody has any confidence, and some of whom are in a hopelessly insolvent condition and figure in the pages of *Stubbs' Gazette?* Many of these gentlemen I allude to are allowed to go about from one district to another, now acting as Resident Magistrates, now, like Mr. Cecil Roche, leading a baton charge of the police, and continuing at Licensing Sessions to deprive Nationalists of licenses. Why should these men be allowed to pack the Bench on such occasions? Why is Captain Stack, of whom, personally, I say nothing, allowed to exercise jurisdiction over 12 counties? From experience we have had of their conduct, I verily believe that many of these Magistrates would, instead of the plank bed and six months' hard labour, be willing to have the penal laws re-enacted. I am sure that Mr. Cecil Roche would gladly set up a triangle for the purpose of inflicting 100 lashes with his own hand on my hon. Friend the Member for West Kerry. Still, these men have their uses, and when Home Rule is established they may be sent to Belfast, where Inspector Kerr, after being prosecuted for breaking Nationalists' heads, had his own head broken by the Orange rioters. One of these Magistrates, Mr. Hamilton, during the Home Rule Debates, expressed the willingness of himself and his colleagues to serve a National Parliament with as much zeal as they now serve the Tory Government. No doubt they would. Mr. Roche and Mr. Hamilton would do a good deal for £600 a year. Well, if the civil war breaks out as predicted by the military Member for Belfast, these gentlemen may be placed in the forefront of the battle, and display their zeal for law and order. Meantime, I am anxious that Irishmen under this administration and the next should have an equal administration of the law. Among the appointments I find the name of Mr. Bruen, and I ask what are the special qualifications he possesses for the Magistracy? He is the son of a Privy Councillor and of a former Member of this House, and I believe he has shown some skill in cricket. We have the "demon bowler" put on the Bench, and I would suggest that the "demon bowler" should be kept within something like reasonable limits. The other Magistrate who sat with the "demon bowler" was Mr. Vesey Fitzgerald. He, I see, figures in the book of biography—a kind of Magisterial Dodd, I think the Chief Secretary called it yesterday. His qualifications are those of an officer in India. Poor Mr. Fitzgerald. I understand that the heat has a great effect on a certain class of officers in India, and Mr. Fitzgerald, I am informed, has become, what is called in Indian slang, a "gonner," from sunstroke or the heat of the weather. So Mr. Vesey Fitzgerald was sent

home from India a "gonner," and having some influence at Dublin Castle, this "gonner" and this "demon bowler" are set up as a tribunal to try Members of Parliament. What is the record of this Mr. Vesey during his operations under the Crimes Act? I first heard of him in the Clongurry prosecution, in which he expelled from the Court my hon. Friend the Member for Wexford, who had the misfortune to appear for the defence. I next heard of him in a case in which he expelled Mr. Stephen Brown, a man of high character, great business capacity, and known for his amiable and mild manners. I challenge the hon. and learned Gentleman to deny my propositions, and nobody knows Mr. Stephen Brown better than does the hon. and learned Gentleman. Having got rid of the barrister, the hon. Member for Wexford, Mr. Vesey Fitzgerald, next gets rid of the solicitor, Mr. Stephen Brown, by expelling him from the Court. I say that was a monstrous exercise of power. But that did not suffice him. One of the defendants, Mr. Hurley, who was tried with seven or eight other men, was expelled for contempt of Court. He expelled the barrister and the solicitor, and then began upon the prisoners. Mr. Hurley was committed for a week, and, just as in the Special Commission the Court would adjourn for ten minutes, he would adjourn for ten days, and commit these men for contempt of Court. He sent all these eight or ten men to gaol for seven days for contempt of Court. Week after week and week after week he sent them to gaol, and then, as a grand *finale* and wind-up, he gave them three months' imprisonment. Why, it is worse than the Special Commission—it is more than a farce. How can you expect respect for the law or for the Magistrates when your Act of Parliament is administered in this way. In the troubles of 1818, a military officer was appointed with a barrister to sit with him as assistant. It was like the mixed Commission we have heard of in other countries. If they differed, nothing was done. You were far better off than now. Throw all forms to the winds; get rid of the horrid system of compelling men to answer summonses. Have out a platoon of soldiers, and stick the Union Jack in the middle of them; get rid of your handcuffs and your plank beds; get rid of this system of Magistrates whose legal knowledge to every man in this House, barring the Chief Secretary and the Chief Secretary's two secretaries, is the greatest farce. Talk of law and justice to these men! You might as well talk of chastity in a brothel. Take the most recent case, that of Dr. Tanner. The warrant on which Dr. Tanner was committed for contempt was nearly a yard long. It would have taken a skilful scrivener nearly a quarter of an hour to write out, and it would have taken a draftsman like Mr. Chitty about an hour and a-half to compose it. But these Justices—the "gonner" and the "demon bowler"—said, "We will retire for 20 minutes," and at the end of that time they came out with two warrants—one for Dr. Tanner's committal for a month, which was not very long, and a long warrant for his committal for contempt. And all in 20 minutes! The Attorney General said before Baron Dowse that the warrant was very carefully drawn. I wonder whether these contempt warrants are supplied at so much a dozen from Dublin Castle. Baron Dowse said, "No doubt, it looks as if they came with their ammunition ready." I congratulate Baron Dowse on being a Judge of the High Court, and not subject to the "gonners" or "the demon bowlers," because that is exactly what Dr. Tanner got three months for. He did not use that elegant periphrasis, but he said that "You have your sentence in your pocket." It would tax the fine intellectual capacity of the Resident Magistrates to distinguish between the two phrases. I would recommend you to repeal this Act of Parliament and substitute the mere *lettres de cachet*, the issuing of warrants without process, in order that you might enjoy the luxury of shaving the beards of Members and colleagues in this House, putting them on plank beds, and dieting them on brown bread. To ask us to respect a law which is so administered is absurd. The Chief Secretary said yesterday—and I think on the comic stage he would have made a larger salary than he does from his office, even with the coals thrown in—in the case of my hon. Friend the Member for West Kerry; "Why did he not appeal?" How often have these appeals been taken, and how often have they been reversed? Dr. Tanner

refused to give bail to be of good behaviour. And English Gentlemen go to their constituents and ask, "Why did he not appeal?" But they will not tell their constituents, or the Government will not inform them, that the Queen's Bench decided that in Ireland there is no appeal in such cases. I raised the point, and it was decided in the very case of Hurley. A copy of that judgment was circulated amongst the Resident Magistrates. There is no appeal in any of these cases; yet the Chief Secretary, on the 17th May, 1887, said:—

"We will give you an appeal in all cases, and if in this dangerous and technical law of conspiracy an appeal is even denied from the County Court Judges, we will give it. The drafting of the Act has been framed too slavishly on Lord Spencer's Act; we will depart from the slavery; we will put Lord Spencer behind us, and we now give you an appeal in all cases."

We know how that promise was kept. We know how the Members for West Ham and Peckham wrote to the *Times*, and how it was said, "What are wanted are short, sharp sentences to strike terror; we want no appeals;" and the Chief Secretary gracefully yielded to the instructions of the hon. Members. If that were the law practiced at the Old Bailey, I would like to know how the two Members would face the "gonner" from India and the "demon bowler," or what chance the prisoners would have before gentlemen like Mr. Cecil Roche. Of course, in this country it is quite right that the law should be administered; and even when a verdict of guilty is given the newspapers may take it up; they are English, and belong to people of your own blood; and the whole matter may be revived. But in the case of men like the Member for West Kerry or Dr. Tanner, or the Member for North-East Cork, what are wanted are "short, sharp sentences." You have provided under the Act of Edward III. a law by which Resident Magistrates are not confined to the infliction of three or six months' imprisonment, but they may, if they choose, give three or six years, and they may do that without appeal. They can send you to gaol under Edward III. as under Balfour I. Then there is the fact that you may give a month's sentence without any appeal whatever; that you may give two sentences of one month to run consecutively, as was done in the case of Mr. Alderman Hooper, late a Member of this House, and as was done in the case of several other Members of the House. Under Jervis's Act you cannot put two charges in one summons against a man; you can only make one charge against him; but under the Irish Petty Sessions Act you may bring 900 charges. It will be said that there are cases in which appeals can be taken. There are. I will give you an instance, Mr. Courtney. In the case of the Clongurry prosecution the men first of all were sentenced under the Crimes Act, and tacked on to that was the sentence of imprisonment under Edward III. Under Edward III. they had no appeal whatever. Under the Crimes Act sentence who were they to appeal to? They had the felicity of living in a county where the County Court Judge was Judge Gardner, who has laid down that he will never interfere with or revise the sentence of any Resident Magistrate unless some new fact is brought forward. What new facts can there be? Therefore, what would be the good of appealing to a man like that? My hon. Friend (Mr. E. Harrington), it is said, would have appealed to County Court Judge Curran, and it is observed that the County Court Judges are not removable or promovable at the will of the Irish Executive. There were circumstances which prevented the appeal. Had there been an appeal I have no doubt the sentence would have been reduced, there would have been no hard labour, and practically the Judge would have wiped out the sentence, leaving only the sentence of a month. My hon. Friend made no appeal. Why? For a reason entirely creditable to him, and which I have no hesitation in mentioning My hon. Friend is editor of the local paper in the county in which Judge Curran sits; and he has constantly to criticise the action of the County Court Judge in relation to land cases, fair rent cases, processes, and the administration of the law generally. He has taken up the attitude of fair criticism towards him, and County Court Judge Curran I am aware does not resent that in the slightest. But my hon. Friend would not appeal to any man whose judicial action would come under his own review as a newspaper man and a journalist. The other reason why he did not appeal

was this: He applied to Mr. Cecil Roche to state a case. Now, the Chief Secretary knows that if you omit to get a case stated your right of appeal is gone. Mr. Cecil Roche refused to state a case, and therefore his only resource was to try *habeas corpus*, and he very nearly succeeded on the technical point. And that is the explanation of the action of my hon. Friend. But are these County Court Judges removable and promovable? I am sure they are just as removable and promovable as the Resident Magistrates. What was the meaning of the County Court Judge Curran's promotion? He was first appointed a Police Magistrate in Dublin. For his services in connection with the Park investigations he was made a County Court Judge in King's County. Then when the present President of the Board of Trade wanted somebody to join General Butler in the County Kerry he was sent there by Lord Salisbury, who thought he had in him a suitable instrument. Have I shown whether the County Court Judge is independent of the executive or not? Then there is County Court Judge Henn, who confirmed the sentence on Mr. Wilfred Blunt. Is he independent of the executive or not? He has a son who is a Resident Magistrate. Is he going to throw dirt and discredit upon the decisions of Resident Magistrates by revising their sentences or quashing their convictions, when his own son is dependent for favour and promotion upon the paymasters of the Resident Magistrates? I assert, as a matter of fact, that with two or three exceptions, all over Ireland these County Court Judges are as sensible to the thermometer at Dublin Castle as the Resident Magistrates themselves. There are some counties in Ireland where the County Court Judge is an independent officer. Take Waterford. The House perhaps recollects Mr. Pine, who was a Member of this House. He is the son of a Protestant rector in Essex. He went over to fight the Duke of Devonshire in the County of Waterford, and the noble Duke got him lodged in Clonmel Gaol as a suspect, and kept there for several months. He was elected a Member of Parliament by the Catholic people of that county. Mr. Pine was prosecuted on two charges; for one he got a month, and for the other two or three months. He got three months on one charge, and while he is waiting the appeal during a month or six weeks, they gave him a month on the other charge to show there was no ill-feeling. He was brought up to Court in his prison clothes. The Chief Secretary made a great point of my hon. Friend the Member for Kerry appearing at his brother's trial in his prison clothes. But he was dragged before his constituents in garments that certainly would not do credit to Poole, to put it very tenderly. Mr. Pine was brought up in the same way to the City of Waterford. Observe, he was an Englishman, with pure blood of the Saxon flowing through his veins. Of course, we cannot expect any sympathy for Irish Members of Parliament. But he is one of your own who was brought up. I took a point on the summons, afterwards held to be good by the Superior Courts in Dublin, because Mr. William O'Brien got out upon it. The County Court Judge quashed the conviction. From that day to this, Mr. Courtney, no sentence of more than one month has been given in the County of Waterford. There may have been one, but I think I am right in my statement. The County Court Judge (Mr. George Waters) does not pretend to be a Nationalist; he was Member at one time for Mallow; and I think he must have been a County Court Judge for nearly 20 years. He is one of the most respected of the Judges; he is a man of great tenderness of heart; there is considerable precision in his decisions; he is an honest and independent man. Because he has nothing to expect from you, you will not allow your decisions to go before him. I read the other day that the rioters in the City of Waterford deserved much more than a month's imprisonment. The riot was provoked by the police, if it could be called a riot. They could have given these men six months each for the riot. Did they? No. Why? Because there would have been an appeal to Judge Waters. They returned them for trial before a special jury in Queen's County; they changed the venue—a most improper thing to do in a case of the kind. They would trust nobody in Waterford; they trusted only to the Crimes Act. As to County Court Judge Webb, in the City of Dublin, I

will not say anything, because, since the Member for West Birmingham has declared that the practice to which I have referred is more honoured in the breach than the observance, the gospel according to Joseph has been taken to heart by the Resident Magistrates. And I would observe that one hint from the noble Marquess or the Member for West Birmingham would be worth all the law in *Coke upon Lyttelton*. I believe they would not disdain advice even from the Member for South Tyrone, who, since his recent action, may have fallen in their estimation, but who may be regarded as a suitable conduit-pipe for the wise counsels which proceed from Devonshire House. I say these Gentlemen could do a great deal of good by a word to such men as Cecil Roche. A respectable Tory on that side of the House was introduced to Mr. Cecil Roche, and he said, "Well, Mr. Roche, I have often been anxious to see you, because you have done our Party more mischief than any man in Ireland." I do, therefore, entreat English gentlemen to address a few words of remonstrance to these men, even if it is only in a private letter. They have only to say they are Tory or Liberal Unionists, when they see a man getting three months for winking at a policeman, and they will exert a salutary influence. Roche sentenced Mr. Woolstack for waving his hat for Mr. Wm. O'Brien. Mr. Woolstack gave bail, it is true; but did not Baron Dowse yesterday declare that in such cases nothing would induce him to give bail. That statement coming from a judge whom everybody respects, will have a powerful effect throughout the length and breadth of Ireland. I appeal to English gentlemen, when they see the law being so administered, to hint that it does not help the policy of Her Majesty's Government to hold up these object lessons in law for the advantage of Irish Members, and to the detriment of the Tory Party throughout England. In that way English gentlemen could do a good deal for the Tory policy. I need not comment upon Mr. Roche, for, after the promises held out to him of promotion under the next administration, I hope when I again have the misfortune to appear before him I may be allowed to get out two sentences without being expelled from the Court, so amenable are these men to reason. I have, however, entered my protest against the course the Government are taking, for they are taking it with no other view except the exasperation of the people. Two great Acts of Parliament have been passed, we are told, by Her Majesty's Government—the Crimes Act and the Land Act. One works very smoothly, there are no exceptions from it. There are no demesne lands, no town parks, no residential holdings exempted. There is the plank bed. There are no exceptions in the course of the Crimes Act; it applies to everybody, it falls upon the just and the unjust. One Act works smoothly down an incline, the other drags wearily uphill, and the people get access to the land or remedial courts with the greatest difficulty. Something like decency is attempted to be preserved in the one case; but in the other half-pay officers, broken down Anglo-Indians, briefless barristers and experienced cricketers are sufficient to destroy the liberties of the people. Why, even at Jamaica, even at the Cape, even in the islands of Malta and Cyprus, and even in places where the British Government have Crown Colonies, you do attempt to give some satisfaction to the subject races. But here, in an integral part of the Empire, an island which we are told is the brightest jewel in the Crown of Her Most Gracious Majesty, and from among whose people have come some of the most valiant sailors and ablest soldiers of that Monarch, you find that 28 of the Parliamentary representatives of those people have been sent to gaol. Yet you would not part with us for the whole world. The Liberal party is rent in twain when it is proposed to withdraw the Irish Members from the House of Commons and to send them to a native Parliament. But they may be withdrawn in dozens to send them to the plank bed. It is only sending them to College Green that is objected to. You may send them to Kilmainham and Tullamore as long as you like, and they are not missed. I must say that statesmen who trust to this mode of cementing the unity of the Empire, who think that they will thus best carry out their wretched policy with any success, are under a most miserable and lamentable delusion. But I do not

believe that it is even a delusion. I believe the Chief Secretary is far too clever a man to nurse or hug any delusion of that kind. His position is this, as I apprehend. He is like Prometheus: he is chained to his post. His friends will not allow him to leave. They say—"You have been such a success in the Irish Office." He wants to be somewhere else; he would like to have some other work than that of promoting Resident Magistrates, and looking after the interests of the Irish landlords in Gweedore and elsewhere; but he has been so great a success that he cannot be spared; and having entered upon this false and foolish policy he is bound to see it to its end. His predecessor was wiser: he got out in time. He knew what was coming. While I admire the courage and ability of the right hon. Gentleman in carrying out the Coercion Act in the way he is doing, I cannot but think that he is only actuated by a false and foolish pride. It is to my mind a miserable thing that the two nations should thus be kept divided, and that our nation should be crucified—not between two thieves, but among seventy-two of them—for I believe there are 72 Resident Magistrates operating from one end of the country to the other. I say it is a miserable thing if this state of things is to be allowed to continue, and that if you are reasonable men you will appoint Magistrates of character and substance, who will administer the law with discretion, who will examine into the state of the people and do something for them that will be better than sending them to a plank bed. We have had announcements made that never was there a period of greater prosperity in Ireland than now; that never were there more amicable relations between the Resident Magistrates and the people than those which exist at the present moment. Does any one believe this? Do we believe it? And we, after all, are the best judges. If our country were only content, should we not be delighted? What have we to gain by a contrary course? I put it to you whether the fact that the representatives of five-sixths of the Irish people are against the present system of administration ought to count for something; and in view of all the follies and mistakes these Magistrates have made I ask you why can you not begin a new life, and do something to earn the gratitude of a people over whom you now insist on ruling?

*THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): When the hon. and learned Gentleman (Mr. Healy) condescended from the region of general denunciation of the follies and mistakes of the Resident Magistrates, and from the sallies with which he has diverted the Committee, and came to the regions of fact, the hon. and learned Gentleman was not, I think, very happy in the illustrations he employed in order to enforce his general accusations. He has spoken of the qualifications of these Magistrates, and asked who are they? He also drew a picture of a Court composed of two Resident Magistrates, one of whom he described as a "Demon Bowler," and of another, whom he alluded to as a retired Indian Official; but I would point out that the very case which had been decided by this Demon Bowler and the retired Indian Official was discussed in this House, when three learned Gentlemen, Members of this House, undertook to lay before us their version of the law upon the subject. The three hon. and learned Gentlemen who undertook to give their opinions on the legality of the sentence of the Court referred to and criticised by the hon. and learned Gentleman the Member for North Longford were men of whose legal competence the Lord Lieutenant might fairly have been satisfied. They were the hon. and learned Gentleman the Member for the Western Division of Durham, the hon. and learned Gentleman the Member for Dumfries, and the hon. and learned Gentleman the Member for Stockton, who was formerly Solicitor General; and they all took the same view of the law, and pronounced against the legality of the decision of the Resident Magistrates in ordering the Member for Mid Cork to find securities of good behaviour. But when I look at what took place before the Court of Exchequer, I find that that Court decided that the action of the Magistrates was perfectly legal, and that those learned Gentlemen were wrong. This, I think, is a very significant fact; and an incident of this kind brought home to the Committee is worth a good deal of denunciation. I can

hardly suppose that the three hon. and learned Gentlemen to whom I have referred came down to enlighten this House upon that case without having looked into the law on the subject, or for the mere purpose of making an attack on their political opponents. I do not believe it; and it only serves to show the enormous room there is for differences of opinion on questions of this kind. Now, when we are told to look at the qualifications of the Magistrates I would wish the Committee to turn to see the extent to which their decisions have been questioned; and what do we find? for this, I say, is the broad and proper way of looking at the question. Whether this or that man acquired his experience or legal knowledge by study and practice as a barrister, or by practical experience as a Magistrate, is not the point; the question is, whether the magistrates have acquired legal knowledge and experience sufficient to enable them to discharge their duties in a satisfactory manner. I say, therefore, that when you find it recorded that there are only 9 per cent of successful appeals against their decisions, and when you find in the case of the hon. Member for Mid-Cork that only on one point, and that a purely technical one, was the order of the Magistrates reversed, the ground being that one Magistrate had not the power to adjourn the hearing, I do not think a case can be made out against the Magistrates by discussing their antecedent qualifications for office. We are not now discussing the Crimes Act, but the allegation that the Government have worked that Act by improper means, and by the employment of inefficient and incompetent men. Well, how are we to bring charges of this nature to the test? The hon. and learned Gentleman the Member for North Longford has said there is no appeal in certain cases, but I say that there is, under the Crimes Act, the same appeal as in cases under the ordinary law in Ireland. Where points of law are involved there are means of having any questions decided by the Superior Courts. Now, I ask the Committee to look at the results. It seems to me that the most conclusive answer to the accusations of incompetency brought against these gentlemen is the fact that so remarkably small a number of appeals against their decisions should have been successful. It has been found that the decisions of these Magistrates, whom the Committee are asked to condemn as a class, have on the whole, with a remarkably small number of exceptions, been upheld, whether by the County Courts on appeal or by the Superior Courts. But the hon. and learned Gentleman the Member for North Longford has asked the Committee to believe that the appeals which go before the County Court Judges are not fairly heard. We have been told that a certain Judge has a son who is a Resident Magistrate. Now, I put it to the Committee, is that a serious way of dealing with such a question? And, again, I ask the Committee to look at the broad facts. What is the position of the 22 or 23 men who are County Court Judges in Ireland? Who are they, how are they appointed, and what is their tenure of office? I challenge any one to say that, as a body, they do not fairly represent the practising Bar of Ireland—I do not say those very first flights; but they are men who have all won their way to their present position by sheer merit. When we are told that one of these gentlemen has a son who is a Resident Magistrate, I ask whether that can be regarded as a serious criticism of such a body? Can it, for one moment, be considered a ground on which we are to discuss the action of the two, or three and twenty Irish County Court Judges? And here I hope the Committee will not, for one moment, understand me to suggest that it is a ground which ought to be put forward even against the individual Judge to whom reference has been made. Well, I have shown what is the class of men of whom the County Court Judges of Ireland are composed; and when I say that their tenure of office is such as to render them absolutely independent of the Executive, I think I have placed the position they hold in a light which the Committee will be able to appreciate. Complaint has been made, and an explanation demanded, of the statement made by a certain County Court Judge to this effect, as it is suggested, that he would not entertain appeals in Crimes Act cases. Now I have had that statement before me, and I deny it is of the nature which has been suggested by the hon. Member.

I have been asked to explain the position of Divisional Magistrates under the new rules. The action of the Government with reference to the substitution of Divisional Commissioners for Divisional Magistrates has been very simple. Divisional Magistrates are not Magistrates in the sense of acting judicially; they are always Executive officers, and I think that the name was an unfortunate one. This class of appointment was first made, I believe, in 1882, in the time of the late Mr. Forster. Those gentlemen who were appointed Resident Magistrates under an Act of Parliament had a fixed salary, and as long as they held that appointment it was held—and rightly held—by the Committee of Accounts, that the only salary they could draw was the statutory salary of a Resident Magistrate; but it was never doubted that the Government could appoint Executive officers, and so instead of being appointed Resident Magistrates they are now appointed Executive officers, with a fixed salary, and that salary will have to be voted by Parliament. Reference has been also made to the fact of these Magistrates being put upon the Commission of the Peace to enable them to discharge the duties of their office. That is by no means an unusual proceeding, and as to its legality and conformity with precedent, I do not think that there can be any doubt. The point has been raised that it is allowable for Resident Magistrates to reside in a different Petty Sessions district from that in which they act, whereas ordinary Justices of the Peace must not habitually reside out of their own district. The cases, however, are totally different. Resident Magistrates are paid for going round to assist the ordinary J.P.'s in carrying out the law; that is the purpose for which they are appointed. They are to be experts and competent practised Judges, to discharge duties in various Petty Sessions districts, and not confine themselves to one district as an ordinary Magistrate, but go on service as they are required from one district to another. Do hon. Members opposite by their ironical cheers mean to suggest that this statement is inaccurate, and that it is the duty of a Resident Magistrate to adhere to a single Petty Sessions district during his tenure of office? Such a contention would be absurd. Reference has been made to a recent decision with regard to the power of a Justice of the Peace; but that decision has no bearing upon the subject now under discussion. It merely amounts to this—that the Commission of the Peace gives jurisdiction in every part of the country; for my own part, I only wonder that such a proposition has ever been seriously doubted. With regard to the occurrence at Naas where it is stated that the Magistrate turned the counsel in a case out of Court, I have the report of what occurred on that occasion, and I find that the learned counsel in the case used language which the Court regarded as improper. He said the conduct of the Bench in regard to the cross-examination of a witness was a scandal. The Resident Magistrate, Mr. Fitzgerald, asked him to withdraw the expression. He refused to withdraw it, and said that he had used it deliberately, and the Court refused to hear him unless he withdrew it. The learned counsel had spoken of scandalous conduct——

MR. J. REDMOND (Wexford, N.): That is not a true report of what I said; it is substantially accurate as far as it goes; but without a full report the matter cannot be fairly judged. I will supply the hon. and learned Gentleman with a report of the exact language which I used.

*MR. MADDEN: I should be very glad if the hon. and learned Member would correct me if the report before me is inaccurate; but I am bound to deal with the question as it has been brought forward. No explanation, however, can remove the fact that on being called upon to withdraw his language the hon. and learned Gentleman refused to do so, and said that he had used it deliberately. If an incident of that kind had occurred in any Court, high or low, in England, and counsel had used words similar to those which the hon. Member admits to be substantially correct, I think that precisely similar action would have been taken. With regard to the solicitor, I am informed that at a later period he addressed the Court, and dared the Magistrate to put him out.

MR. T. M. HEALY: That is a most inaccurate report.

*MR. MADDEN: In the opinion of the Court the proceedings were systematically disturbed, and as a matter of

fact I am informed that Mr. Brown was not turned out.

MR. T. M. HEALY: He was taken out by two policemen.

MR. J. REDMOND: Does the Solicitor General derive his information from the newspaper reports, because they are entirely different from each other?

*MR. MADDEN: My information is derived from official sources, not from newspaper reports. As an instance of the recklessness with which assertions are made, it has been stated that Mr. Cecil Roche gave a sentence of six months' imprisonment to a person for waving his hat for Mr. O'Brien. As a matter of fact, Mr. Roche did not adjudicate on that occasion at all, and never gave the sentence; it was given by a different Magistrate altogether.

MR. T. M. HEALY: I have got the deposition of Mr. Cecil Roche, signed at the police barrack, stating what had occurred on that occasion.

*MR. MADDEN: The sentence attributed to Mr. Roche was not passed by Mr. Roche; it was passed by Captain Walsh; and that was rather an important fact when Mr. Roche is being attacked for that particular sentence. The hon. Member for Stockton asked me in this House upon what evidence Captain Walsh acted, and whether he had anything before him except the deposition of Mr. Roche; and the answer I gave was that Captain Walsh acted on the evidence of his own senses. A Magistrate in requiring securities for good behaviour is entitled to act upon his own knowledge of what is occurring in his presence, or, in other words, the evidence of his own senses. Mr. Stock did not go to gaol for an hour, because he gave sureties to be of good behaviour. These Magistrates perform their duties in the full light of day. "The fierce light that beats upon a throne" is darkness compared with the glare of publicity in which they discharge their duties. This I do not complain of, and the Government have no reason to complain of it. I am certain that the Resident Magistrates have no reason to complain of it. Is there a single act of the Resident Magistrates during the last two years that has not been carefully looked into? Looking at the whole record, looking at the proportion of successful appeals, looking at the isolated cases that have been taken up, I believe the Committee will think that the Resident Magistrates have come out of the ordeal to which they have been subjected with every credit to themselves.

MR. J. REDMOND: I think that the hon. and learned Gentleman has tried to prove too much. Whatever else the Resident Magistrates may be they are not competent and practised Judges. It would have been more to the purpose to show that they were an average body of men who have been entrusted with functions of a very difficult character. Although there is reason to complain of the conduct of individuals, I cannot treat the question apart from the policy of the Coercion Act they are administering. No matter what body of men are employed to administer it, they cannot give satisfaction in carrying out its provisions. I object to the method in which the Magistrates are selected, to the method in which they are instructed and inspired, and to the manner in which they do their work. No men could satisfactorily discharge the duties of Judge and jury that are cast upon them. No law is more complex and difficult than the Law of Conspiracy; and one of the most competent Judges resigned rather than take upon himself the administration of that law without the assistance of a jury. Yet in administering that law the Resident Magistrates have to act as both Judge and jury. It is generally held that the liberty of the subject would not be worth a moment's purchase unless it were safeguarded by Judges independent of the Executive, and by juries indifferently chosen; but as Judges the Resident Magistrates are not independent of the Executive, and as jurymen they are not indifferently chosen. Coming to individuals, it is impossible to avoid giving expression to strong feelings of resentment at many things which have occurred. It is irrelevant to compare the qualifications of Members of Parliament with those of Resident Magistrates, as the Chief Secretary has done, because Members of Parliament have not to try charges of conspiracy. Recently I was interested in an intricate case of conspiracy tried by Mr. Bodkin and Mr. Macleod. Mr. Bodkin is said to have been, before his appointment, a civil engineer, a farmer,

and a Militia officer; and Mr. Macleod had been for some years a Constabulary officer, and these are the men supposed to be qualified to deal with a difficult question of law. It is monstrous that such enormous powers should be entrusted to men with these qualifications. A power committed to them is that of instituting secret inquiries, by examining witnesses in the presence of no one but a shorthand writer. Mr. Justice Stephen, in his history of the criminal law, deals with secret inquiries, and he says:—

"The substitution of secret interrogation for an open investigation would appear to us to be poisoning justice at its source. An English Judge would feel himself degraded if he were required to extort admissions by elaborate cross-examination."

Yet this is the system which is at work under this Crimes Act. In these secret inquiries no rules of evidence guide or fetter the discretion of the Magistrates. A secret inquiry was held recently in the County of Wexford, and presided over by a gentleman named Considine. He summoned people before him, and in secret questioned and cross-questioned them, so as to extort admissions from them. As to his qualifications for the exercise of legal functions at all, I find it stated that he served as High Sheriff in County Limerick in 1881, and that he kept all his terms for the Bar, but for family reasons was not called. The other day Mr. Considine admitted in evidence that years ago he kept all the summer terms at one of the English Inns, but never attended a lecture or attempted to pass an examination. It seems to me, therefore, that the description of this Magistrate is a dishonest one. Now, the Solicitor General's argument, that the charge of incompetence brought against the Magistrates is negatived by the number of appeals in which the convictions have been confirmed by the County Court Judges, was *primâ facie*, no doubt, a strong one. But when we look into the facts we can see what this confirmation is worth. One County Court Judge who has jurisdiction over three counties—I refer to Judge Darley—has declared that he will not interfere in any of these Crimes Act cases with the discretion of the Magistrates, unless he is satisfied they have made a mistake in point of law. What did that mean? It meant that appeal, which by law should be a rehearing of a case, was absolutely taken away from every man who was within the jurisdiction of that County Court Judge. Take another instance. The Solicitor General was indignant at the suggestion that these County Court Judges could be anything but independent and impartial administrators of the law. I should like the hon. and learned Gentleman to state whether he seriously considers that County Court Judge Webb is a gentleman entirely independent of the Executive Government. We know how County Court Judge Webb got his preferment. We know that Judge Webb was the pamphleteer for the Conservative Party in Dublin and was engaged in the preparation of articles for which he was paid by a certain political association, and which in another shape formed the origin of the *Times'* articles on "Parnellism and Crime." Although Judge Webb may have had at one time some practice, I deny that he ever had such legal professional work as to justify his appointment as County Court Judge. I say his promotion was the payment for the political service he did to the Party opposite. To ask us to have confidence in a gentleman of that kind is about as absurd as to ask us to have confidence in the legal knowledge of Mr. Cecil Roche and men like him. I hope the people will notice to-morrow that the Solicitor General thinks that Mr. Vesey Fitzgerald and Mr. Civil Engineer Bodkin are competent and practised Judges. One of the Judges of the Supreme Court—Mr. Baron Dowse—has said there are several things he has never been able to understand, and one of them is the mind of these local Justices or how they bring their mind to bear on a case. He was still less able to understand the state of mind of Justices of whose competence the Lord Lieutenant has been satisfied. In another case the learned Judge said one might as well ask one of these Justices to write a Greek Ode as to state a case themselves. In a case which was before the Courts yesterday the Attorney General said he was collecting into one volume, which he was about to have published, all the Judgments of the Superior Courts in these Crimes Act cases, and Mr. Baron Dowse said—

"If you wish that to be of any use you must collect all the Magistrates together and give them a good grind in it."

These are the practised and competent Judges the learned Solicitor General said are quite fit to administer the law of conspiracy and other official powers vested in them by the Crimes Act. I notice there has been a recent development in the action of these Magistrates; they have recently taken to tacking on to their sentences under the Crimes Act further sentences in default of finding bail. I do not believe that when the Legislature limited the imprisonment to be inflicted to six months, it contemplated that it might be extended to nine or 12 months under an Act of Edward III. Had such a thing been thought possible, I believe that the House would have introduced a provision to prevent it. It is all very well to say that a man need not be imprisoned because he has only to give bail for good behaviour. The way that Irishmen look at that is shown by what Chief Baron Palles said the other day—namely, that if he were asked to give sureties for good behaviour, he would sooner die first. I should like to refer to an incident in which Mr. Vesey Fitzgerald took part; but before I come to the particular point let me say that there is only one barrister practising in Ireland who has succeeded in appearing before Mr. Vesey Fitzgerald without being turned out of Court, and, as far as I have been able to ascertain, there is not a single solicitor in the district, except the Crown Solicitors, who has not been removed from Court by this Magistrate's order. Some time ago I was engaged at the Winter Assizes in the town of Maryborough, where Lord Chief Justice Morris was trying cases. Some of the prisoners were defended and others were undefended, and I was greatly struck by what I saw and heard. If a prisoner was undefended the Judge allowed him in statement and in cross-examination the most enormous latitude. I left the Court and went into the Court of Mr. Vesey Fitzgerald. There were eight or ten defendants in the case in which I appeared, but I appeared for only one of them. The Magistrate did not interfere with my discretion, but the moment one of the undefended prisoners rose in his place in the dock and commenced—perhaps incoherently, perhaps irrelevantly, but certainly not with any intention to be disrespectful to the Court—to cross-examine one of the witnesses, Mr. Vesey Fitzgerald at once interfered, and said, "You cannot ask that question," "That is irrelevant," "If that is the kind of question you have to ask, sit down; if you do not, I will order you to be dragged down by policemen." I turned to my solicitor and said, "This interference with the cross examination of witnesses by undefended prisoners is the most scandalous thing I ever saw." Mr. Vesey Fitzgerald's ears are somewhat long, and he caught my observation, although it was not addressed to him, and he asked me if I said that. I said I did. He asked me to withdraw it; but I, remembering what I had just seen in the Lord Chief Justice's Court, refused to withdraw the expression. For that offence I was ordered out of Court. My solicitor remained, and what occurred in his case was this: The Magistrate was writing down the depositions himself. Mr. Brown, the solicitor, complained that a certain answer was not correctly taken down. The Magistrate said, "Sit down, sir, and hold your tongue," and Mr. Brown answered, "I will not; I am discharging my duty to my client, and I insist upon that answer being taken down correctly." For that Mr. Brown was seized by two policemen and dragged out of Court. This is the kind of thing that is constantly occurring when cases are tried before Mr. Fitzgerald. Reference has been made to the fact that his action in the case of Dr. Tanner has been upheld. But it was reversed upon one point, which was a very simple one—namely, that a Court not properly constituted to hear a case could not adjourn it; and as to the second point, with regard to the holding to good behaviour or committing for three months for contempt of Court, it is a strange thing that the brilliant idea of falling back on his alternative jurisdiction under the Act of Edward III. should strike Mr. Fitzgerald — an ex-Civil servant of India — whereas it has never occurred to any of his colleagues, some of whom do possess some legal knowledge. Mr. Baron Dowse, in alluding to the warrant on which Mr. Vesey Fitzgerald

committed Dr. Tanner under the jurisdiction given by the Act of Edward III., said—

"This is a very elaborate document;"

and further on the learned Judge said—

"Mr. Attorney General, it is so peculiar and so elaborate that it does seem to be some confirmation of Dr. Tanner's idea that these Magistrates came with their ammunition ready."

I am free to express my opinion that Mr. Vesey Fitzgerald did not act on his own initiative in the matter, but that he was inspired by the legal advisers of the Government in Dublin Castle. The Chief Secretary denies that there is any fusion between the Executive and the Judicial functions of Magistrates; and he added that one of the reasons why Magistrates move about so frequently is that the Government desire that those who exercise Executive functions should not preside over Courts. But there are Judges in many parts of Ireland who are every day in the week combining Judicial and Executive functions. It is only the other day that I appeared before a certain Magistrate in a Crimes Act Court, and that within two hours of the close of the Court I witnessed the Magistrate leading a body of baton men in the dispersal of a meeting. Colonel Miller is constantly exercising both Judicial and Executive functions in my own county; therefore, it is not true for the Chief Secretary to say that the Executive and Judicial functions are kept distinct. The action of these Magistrates is going very far indeed to intensify the contempt in which the administration of the law is held in Ireland. The Irish people have got into their heads that what Erskine said long ago is true—namely, that where the administration of the law is left in the hands of the deputies of the Executive Government, there can be no liberty except such as is convenient to the Executive Government. Under present circumstances a sentence of imprisonment inflicted by one of these Courts is regarded not as a stigma, but as a title to honour. These Courts are not engaged in punishing crime, but in attempting to break down combination on the part of the people. As an instance of this, I may point to the fact that the Crimes Act is being vigorously put into operation in the County Wexford—a county in which within the memory of living men there has not been a single serious agrarian crime, where at the last Assizes the business for the whole county, with a population of 150,000 persons, only lasted one hour and a half, and consisted of one case of petty larceny. Yet this county is being singled out for the most thorough and whole-hearted administration of the Coercion Act. This is the county where secret inquiries are being held right, left, and centre. This is the county where some of the Priests who have preserved the public peace for half a century are being prosecuted under the law of criminal conspiracy, which law is administered by ex-civil engineers and ex-Indian political officers. The object of these prosecutions is to put down what the Chief Secretary regards as illegal combinations on the part of the people. There are in the county only three estates in which the Plan of Campaign is at work; on all the other estates the tenants have come to terms with their landlords. Wherever the Magistrates are exercising their sway, wherever they are sending the local leaders to prison, public opinion is indignant at the system of Government. Public opinion justifies the action of the local leaders who may have made use of such extreme expressions or assisted the tenants in their action against their landlords. These combinations are defying the Coercion Act and defying the action of the Resident Magistrates, and, so far as crime is concerned, the action of the Coercion Act is absolutely unneeded. Let me say I attribute more to faults in the system than to faults in individuals. I do not deny that there are individuals among the Magistrates utterly unfitted by training and utterly unsuited personally for the performance of Magisterial functions; but still it is more to the system and policy that I attach fault than to individuals. The right hon. Gentleman is degrading the law; he is destroying whatever remains of confidence in the minds of the people in the administration of the law. He is postponing, so far as in him lies, the approach of that day, the arrival of which I and my Colleagues ardently desire, when the law will be impartially administered between man and man in Ireland, will be regarded with confidence and respect by the people, and will cease to be an

instrument in the hands of the rich and the few to be used against the poor and the many; when it shall be no longer true, in the words of Sir Redvers Buller, that there is no law on the side of the poor man in Ireland; when the law shall be administered with firmness, discretion, and justice between man and man. When that day comes, I believe the British Empire will have in no part of its vast dimensions a more loyal or more law-abiding people than in Ireland.

MR. COX (Clare, E.): The Chief Secretary last night repudiated with considerable heat the assertion made that there is collusion between Dublin Castle and the administrators of the Coercion Act. The assertion that sentences were prepared in Dublin Castle and sent down to the Courts he repudiated in the most emphatic manner, and denied that the statement had any foundation in fact. Well, we must accept that statement of his, but while we do so, it must be admitted that there are peculiar coincidences in the administration of the Coercion Act that to our, perhaps, prejudiced minds seem to require some explanation. I may refer to one of these coincidences in relation to my own case. It may be within the recollection of the Committee that I was arrested under the Coercion Act here in London, the first Irish Member so arrested in England. I was taken across to the capital of my county and brought before Mr. Cecil Roche and Mr. Hodder. The case lasted two days, and my hon. and learned Friend who has just eloquently addressed the Committee defended me on that occasion. To prove the charges against me it was necessary to bring up no fewer than 85 policeman; I think that was the number present. As I was, on the second morning of the trial, being escorted in this way from the prison to the Court-house there occured one these coincidences to which I have alluded. As I passing into the Court a Government official whispered to me—"Cox, you'll get four months to-day for your speech at Ennis. Of course you will appeal, and you will be re-arrested and then you will get one month for your speech at Kildysart." This was in the morning, and the case proceeded through the day. At the end of the proceedings, as was predicted, a sentence of four months' imprisonment was passed upon me. I should have mentioned that, to the communication whispered in my ear, was added, "Orders have come down." Whether the orders came from Heaven or from Dublin Castle was not stated. I appealed of course, and upon leaving the Court I was re-arrested, brought before the same tribunal, and committed back to prison, bail being, as in the former case, refused. On the Tuesday following I was brought up for trial at Kildysart, where scenes occurred at which I shall have to refer later on. The charges and allegations against me on both occasions were word for word, letter for letter—in every respect identical. My first offence was my speech at Ennis, and there there might be supposed to be some excuse for me. I advised the people to stick to the constitutional agitation of the National League. Portions of that speech were read to the Committee last night by the hon. Member for York (Mr. A. Pease). There might have been some palliation of my offence on that occasion, because the proclamation of the National League in Clare had only appeared in the *Gazette* the day before. But my second offence was the delivery of a speech ten days afterwards, and then there was no excuse of absence of knowledge of the proclamation; and so I submit the second offence was the graver of the two, and the sentence should, therefore, have been heavier. Well, I was tried, and, of course, found guilty, and for this second offence, word for word, letter for letter, in every respect identical with the first, I was sentenced to a month's imprisonment. Against this sentence there is no appeal; it was pronounced to fill up the period of time between the one imprisonment and the other. We will suppose this is merely a coincidence, but what I would like to ask is, how was it that the Government official was able to learn what the sentences were going to be? Well, so much on the question of complicity between the Castle and Resident Magistrates in the exercise of their judicial functions. I now come to their executive functions. I was taken, as I said, to Kildysart under strong escort, and at the entrance to this small village of 30 or 40 houses I was placed in the centre of a square, and Mr. Cecil Roche, his famous blackthorn in hand, led the way. In the street, at the entrance

to the village, a few women and children were assembled. I assert and maintain that these, women and children principally, and not men, did not number more than one to every three policemen, and they had the audacity to raise a cheer for me, their Representative. Without a moment's warning this body of police, numbering at least three to one of the people in the street, charged in every direction, and in less than three minutes the village street was strewed with women and children who had dared to cheer. I saw one man, who had rushed to his door to see what was the cause of the commotion, felled by a policeman on his own doorstep. Not a stone was thrown, no offence was committed, simply the people had raised a cheer for me. When the people had been bludgeoned and dispersed the square was re-formed, and, Mr. Cecil Roche at the head, we went on to the Court House, where, in a judicial, calm, impartial frame of mind, Mr. Cecil Roche proceeded to try me for the offence of delivering a speech in that village. These are the judicial officials to whom you intrust the administration of the Crimes Act in Ireland. Disgraceful as this outrage was there is still more to tell. During the progress of the trial a considerable number of persons assembled, and many priests were present in Court. I said to the parish priest, "For God's sake get the priests to go out and clear the streets of people; do not leave them to be massacred by this ruffian Roche." The priests used their influence and cleared the streets peaceably. A few people outside cheered, but there was no further offence. One man, who appeared to be the town fool, waved his hat and commenced to cheer, and instantly half a dozen policemen rushed at him, collared him, and while they held him another policeman drew his baton and struck the man on the head. I heard the thud of the blow 50 yards distant. The baton was raised again, but District Inspector Carey and Mr. Mensell stayed the ruffian's hand. Mr. Cecil Roche looking on never attempted to interfere. Well, I was sentenced to a month's imprisonment, as I have said, and the next day I was conveyed to Ennis, and at the railway station there I chanced to overhear a conversation between two officials which I mention as bearing directly on a case that has been more than once mentioned, the prosecution of 21 traders of Milltown Malbay, and because I think I am indirectly responsible for that prosecution. I was standing outside the carriage when I heard one official—his name I will not mention, though I know he is one of those who hate the work they are set to do—I heard this official say to another that there would be hot work in Milltown Malbay on the occasion of the approaching trials because Mr. Cecil Roche would be there. Well, I, with the scene at Kildysart fresh in my mind, determined to do all in my power to prevent a recurrence of a savage onslaught upon defenceless people. I mentioned what I had heard to my solicitor, Mr. Lynch, and he in my name wrote to Father White, the parish priest at Milltown Malbay, asking him to use his influence to prevent the people assembling. Father White a short time ago in the Commission Court swore that he received such a message from me. It is well-known that there is no more zealous advocate in the cause of temperance in Ireland than this parish priest. Father White thought to improve on my suggestion, and he went round to the traders and asked them to close their houses on the day of these trials—trials, if I remember rightly, for alleged boycotting in the town. The publicans did as Father White suggested; they closed their houses on the day of the trial, and Mr. Cecil Roche found no excuse for bludgeoning the people there. He determined, however, to have it out with the people in some other way. It was sworn at the subsequent trial that the police station was well supplied with provisions and liquor of all sorts; but by the orders of Mr. Cecil Roche the police went round to the different traders, and for refusing to sell the police drink 21 traders of Miltown Malbay were prosecuted. This is the history of how the houses in Miltown Malbay came to be closed that day, and it will be seen that the responsibility lies with me. I am proud of the responsibility. Although it entailed a considerable amount of suffering upon these unfortunate people who were sent to gaol for refusing to open their houses, there is not a single man of them who would not be prepared to accept my

advice if I called upon them to do the same thing again. Last night the hon. Member for York (Mr. Pease) referred to a trial in which a difference of opinion arose between Mr. Kilkelly and Mr. Cecil Roche as to the sentence to be inflicted. On one point the hon. Member was mistaken, or he did not make it clear. The offenders were children, the eldest of whom was not more than 14 years old, and their crime was defending their home against eviction. Mr. Cecil Roche wanted to send the children to herd with common criminals for four months, but Mr. Kilkelly, more humane, wanted to give the minimum sentence, and accordingly, as the Magistrates disagreed, the children were discharged for the time, and were never called up for sentence afterwards. What happened? Mr. Kilkelly was sent to Drogheda, and one of the most notorious firebrands of that place—Colonel Keogh—was sent from Drogheda to replace him in Clare. Mr. Kilkelly, I am sorry to say, seems to have learned his lesson, and has taken a leaf out of the book of Mr. Roche, seeing that doing this is the only way to promotion. We had another Resident Magistrate in County Clare, a gentleman in whose administration of the law the people had entire confidence, Mr. Crotty. Before the passing of the Coercion Act, Mr. Crotty had charge at Tulla, where he had gained the respect and confidence of the people. But the Chief Secretary knew that this gentleman was no tool in the hands of the Executive—he was not a machine for the administration of the Coercion Act—so Mr. Crotty was, on the passing of the Act, removed, and the firebrand Colonel Keogh replaced him. Clare has been tried in the crucible of the Coercion Act more, perhaps, than any other county. Clare has sent more men to prison in defence of free speech, of public meeting, and the right of combination than any other county in Ireland, and I, as Representative, am proud of my county for this. The Chief Secretary has sent me to prison, either by the sentences of his Removable Magistrates or by refusal of bail, four times, but if he makes it 44 times I shall continue the same. The right hon. Gentleman has proclaimed the National League in Clare; he boasts of being the saviour of Clare and the true friend of the people, and I challenge him to test the opinion of the people. It would be too much, perhaps, to ask him to condescend to the representation of such a barbarous constituency; but if he will not submit to that, let him nominate any gentleman among his friends, and I will resign my seat and contest the election on the lines of the National League, and if my opponent polls one vote to every 50 given for me I will undertake never to seek a seat in the House again.

DR. KENNY (Cork, S.): The right hon. Gentleman opposite has given as the reason for the peripatetic action of the Resident Magistrates that it is necessary that their experience should go round to assist the Magistrates of Petty Sessions in their work; but I think it may more correctly be put in another way, that they go round, not to assist, but to terrorise Magistrates at Petty Sessions, and make them do the work demanded by the Government. We had in Ireland, in days gone by, a gentleman who was known as the "walking gallows." At that time, as now, I suppose the *ultima ratio* of justice was not sufficiently carried out. Then, as now, men were found to interpret the wishes and designs of the Executive, and this "walking gallows" did the dirty work of the Executive, and, with a few honourable exceptions, Resident Magistrates follow his example, and lend themselves for similar work. The Solicitor General dwelt with great fervour, and worked himself into a white heat of indignation at the idea of impugning the decisions of Resident Magistrates, because he said so small a proportion of those decisions were reversed on appeal. But our position is, that the administration of justice has been polluted at its source, and, with a few honourable exceptions again, it is with deep regret I say it, County Court Judges to whom these appeals are made, are, in the main, as much tainted as the Resident Magistrates in being the willing tools to do the behests of the Executive, and as willing to curry favour to get for themselves or their relatives fresh places or promotion. My hon. and learned Friend the Member for Longford (Mr. Healy) has given an example of what occurs when the Executive find out whether a County Court Judge is willing or not to agree

with the decrees pronounced by the Resident Magistrates. Because it was known that Justice Waters was a man who, on the rehearing of a case, gave equal weight to the evidence of the witnesses for the accused and the police witnesses, appeals were not referred to him but to Mr. Justice O'Brien, a legal luminary who can be relied on to give thumping sentences whenever a packed jury find a verdict of guilty. Now there is one case upon which I wish to put a question to the Chief Secretary. The case of the hon. Member for Mid-Cork (Dr. Tanner) has been before the Court of Exchequer in Dublin, and we have had a very strong expression of opinion from the Judges, chiefly from Chief Baron Palles, of whose legal knowledge I hope the Lord Lieutenant and the Chief Secretary are satisfied. The Chief Baron expressed the strongest opinion as to the state of the law which enables Resident Magistrates to deal with the offence of contempt of Court under the Statute of Edward III. I am no lawyer, but every citizen knows that that Statute was introduced for a totally different purpose than for dealing with persons guilty of contempt of Court, and I want to know why it is that this musty old Statute is used for this purpose. Was a hint sent from Dublin Castle that this was the best method of dealing with contempt of Court when it was found that the Coercion Act was rather deficient in dealing with this offence, though Heaven knows its net was sufficiently widely spread to include most offences; was there a hint, I say, thrown out that this was a convenient method of dealing with inconvenient political adversaries, to bind them under greater stress and duration than under the ordinary powers of the Court in dealing with contempt?

"It is a strange thing," said the Chief Baron, introducing a very significant phrase, "it is a strange thing that the industry of the learned gentleman who represents the Crown has not produced a single case where a person has been held to peace for words spoken in Court."

The Chief Baron went on to say that in Ireland until within the last two or three years the respect for the Courts must have been such that no case on the subject could arise. That is perfectly true. At Petty Sessions before these tremendous powers were given to peripatetic Magistrates under the Coercion Act, a rough and ready kind of justice was administered, and there was no punishment for contempt of Court, because there was none necessary. The Chief Baron said also that the defamation was not that of an individual but of justice itself, and that he conceived that the words of Dr. Tanner though unmannerly might be regarded as having some relation to his defence. The hon. Member for Mid Cork was first deprived of his defender by the action of the Court, and then, being left to his own defence, because he uses language which somewhat goes beyond the normal limits of propriety, he is dealt with without warning and without caution in the most offensive manner. Why could not these gentlemen have dealt with him at once for contempt of Court? Why could they not have cautioned him? It is true, as Chief Baron Palles remarked, that it was not incumbent on them to do so. The learned Judge said he himself certainly thought that before being committed for contempt the person should have an opportunity of being heard, but the doctrine of the common law that no one should be condemned unheard, did not apply to our law, at least since the time of Edward III. Does the right hon. Gentleman intend to carry out the sentence against my hon. Friend in face of the fact that this oppressive procedure was used against him—does he intend, in face of the declaration of one of the highest Courts in Ireland, to carry out a sentence which in infamous in its character, and which ought never to have been pronounced? I hope the right hon. Gentleman will also let us know whether he has any intention of amending the law next Session in this particular direction. What is the position of the hon. Member for Mid Cork at this present moment? He committed the alleged contempt of Court when there was being passed on him a sentence which has been quashed. For expressing his contempt for an absolutely illegal decision he is now being imprisoned for three months if he does not give these sureties, which I think he ought not to give, and which I hope he will not give. There is another case which, as far as I know, has not been alluded to—namely, that of Mr. Powell, the editor of the *Midland Tribune*. That gentleman has been up twice before under the Coercion

Act, and he edits a paper that does not find favour with the powers that be in Ireland. The case appears to me to be on all fours with that of the hon. Member for Cork. It illustrates, first, the oppressive nature of this proceeding for contempt of Court, and secondly, the fact that the Resident Magistrates are the creatures of the Executive. Mr. Powell published a Report in his paper, and he was charged with having used intimidation towards Her Majesty's subjects, and endeavoured to set Her Majesty's subjects against each other. The prosecution was instituted by County Inspector Ross. The counsel for the defendant asked the Resident Magistrate, Mr. Waring, whether he would state a case. Mr. Waring said at first that he saw no objection, but he had scarcely spoken before the gentleman of whom we have heard a great deal of late, Mr. Bolton, said "I object." Mr. Waring said there was no case to state. Mr. Bolton said the stating of a case intimated that in the opinion of the Court there was something to be argued. Mr. Waring then said, "Then I will not do it." Now, I wish to know whether in this case the sentence is to be carried out. I protest most strongly against Courts of Summary Jurisdiction in Ireland, which are endowed with enormous powers—powers of a character admittedly never before conferred on Courts—being allowed now to use at their pleasure the Statute of Edward III. It is notorious that these Magistrates are not thoroughly competent, and that they act from anything but the highest possible motives. I will give a little instance of the even-handed justice which these gentlemen mete out. In Macroom on September 29th, last year, Mr. O'Shea, the secretary of the branch of the League, was convicted of writing a letter inviting a man to explain his conduct, and was sentenced to four months' imprisonment with hard labour, without the option of a fine. All Mr. O'Shea did was to write a letter just as the secretary of a club would write to a member asking him to give an explanation before the committee of something which was supposed to be an offence against the members of the club. Two days later the Magistrates who passed this sentence on Mr. O'Shea had to adjudicate upon a charge against a clerk to the firm of Hussey and Townsend, the well-known land agents, of having assaulted a common prostitute on a Sunday morning. He had got the woman into his office, and the police, assisted by some corporate officials, had to come and rescue her. Evidence was given to the effect that they found the woman lying on the floor in the hall, looking very faint and with tears in her eyes. The Magistrates convicted the person, and said the justice of the case would be satisfied with the infliction of a fine of £5. No doubt the character of the person assaulted might cast some suspicion on her testimony, but the man was convicted not on her evidence, but on that of the police-sergeant, and yet the Magistrates who two days before gave Mr. O'Shea four months' imprisonment for writing a letter inviting an explanation of a man's conduct, let this man off with a fine of £5. That, Sir, is the even-handed justice of the Resident Magistrates. I should like to ask the right hon. Gentleman the Chief Secretary what he has to say about the proceedings of Major Cadell in turning Canon Keller off his own premises during the Ponsonby evictions. The Canon was at the time standing in the churchyard, which, as is customary in Ireland, is absolutely vested in him. There is no allegation by the police that there was stone-throwing where he was standing. The police ordered him out of his own premises, and used a certain degree of force in ejecting him. I want to know by what right they did this. Is there any common law right in Ireland which enables the police to enter on private premises where no felony is being committed and violently to remove the owner? I want to know also whether the right hon. Gentleman intends to keep Mr. Powell in prison? There is one fact which ought to weigh with the right hon. Gentleman. Mr. Powell has been previously in prison, and, in consequence of his imprisonment, has lost the sight of one eye. This is no exaggeration, but is a well ascertained fact. Of course when the sight of one eye is lost, there is always extreme danger of the sight of the other going by sympathy, and if Mr. Powell now remains in prison, he is in a much worse position for standing the effects of the imprisonment. I say that if by a system of imprisonment you endanger the life, or seriously impair the physical well-being

of a person, you are giving that person more punishment than the tribunal before which he appeared had rightly or wrongly given. When you give a man four months' imprisonment, plus the loss of an eye, you give him more than the tribunal intended to give him, and there is a gross violation of every principle of justice.

MR. SWIFT MACNEILL (Donegal, S.): I am sure we have heard with interest the speech delivered by the Solicitor General for Ireland, who is honestly opposed to us, but who always recollects that he is speaking to his own countrymen, for he never acts in a way to provoke irritating or hostile personal comment. I will endeavour to follow his example. I may say, in all sincerity, I was astonished when the hon. and learned Gentleman spoke of the Resident Magistrates as a body of competent practised Judges. In what does their competency or practice consist? It consists of being well versed in all the significance of the nods and winks of the Castle officials, and their competency lies in their power and ability to convict. The Resident Magistrates have merely the courage of convicting at the beck of the Government. I think it would be useful for the House to consider the enormous powers given to Resident Magistrates. Cecil Roche and O'Neill Segrave have a power and influence over the fortunes and liberties of their countrymen which is not possessed either by the Lord Chief Justice in England, or by the Lord Chief Justice in Ireland. The highest magistrate in the land cannot try a case of conspiracy without the intervention of a jury, but Cecil Roche and O'Neill Segrave have been able to. The Lord Chief Justices I have named hold, I believe, the Commission of the Peace in every county, and if they both, or either of them, were to enter a Coercion Court in which two Resident Magistrates were trying a case of conspiracy, they could not interfere, because the Coercion Act has taken away from ordinary Magistrates the power of sitting in these Courts, and has entrusted the administration of the Act to removable Magistrates paid by the Government, and liable to dismissal without notice and without explanation. These Magistrates hold their Commission by the influence of one man, for the Second Reading of the Coercion Bill was carried only through the influence of the publication of Pigott's forged letters in the *Times*. The Solicitor General endeavoured to discount the value of certain extracts, quoted from a Judge's charge by my hon. Friend, by eliciting that the charge was delivered before Resident Magistrates came into existence. It is certainly true that they did not exist in Ireland at that time, but as we go on we find fresh means of tyranny. The hon. and learned Gentleman must remember perfectly well the late Archbishop Whateley, who was not a partisan, for he kept aloof from Irish political parties; yet he said in 1852 that the Lord Lieutenant's time was largely occupied in deciding what ruined gambler should have this or that Stipendiary Magistracy. Again, Lord Rosse, the Chancellor of Dublin University, whose son stood against the hon. Gentleman as an independent Conservative, and whose election I did my best to promote, said the men selected for the position of Resident Magistrates were generally elderly *roués* with broken fortunes and damaged reputations, who were made stipendaries because their patrons dare not venture to make them anything else. He goes on to say that the Government appoint only those who are absolutely dependent on them. Some are habitual drunkards, and more than half unable to show themselves except on Sundays. They are called "Sunday birds." There was, I believe, one whose body was seized by his butcher after death. I have here some of the characters written for applicants for these posts of "competent and practised judges," by their relatives to the Lord Lieutenant of the day. They were read in this House on the 1st April, 1887. I will only read one of them. It was addressed to Lord Carlisle, and the writer applied on behalf of his brother, "who had been leading an idle life and contracting habits injurious to his health as well as distressing to his family." The letter continued—

"He has latterly, I rejoice to say, been leading a different life; he has recently formed an attachment to an interesting Scotch lady, one who in point of deep religious belief is all that could be wished for. Their union is only delayed by financial reasons, and under these circumstances I venture to ask your Excellency to procure for him a situation as Stipendiary Magistrate, for which he is extremely well

qualified, as he regularly and efficiently discharges his duties as J.P. in this parish."

Later on the writer adds that "some post of less value would be acceptable." This letter is signed, "P. Fitzgerald, Knight of Kerry." Now, that letter was written 25 years ago. But is this system of appointing Resident Magistrates still continued? What about O'Neill Segrave? How is it possible that that man, who was discharged from an inferior regiment for embezzlement of public and private funds—for frauds of a wantonly heartless nature, because he embezzled some money given him by a private soldier to take home to his mother—I ask how comes this man to be a competent and practised Judge? I fancy his head was filled with bad law, and his stomach with good whisky. What a Solon for the Government to place on the judgment seat! What a Daniel come to judgment! It was Dr. Tanner who first brought the case of Mr. Segrave before the House, and who first gave the House information, which the Government could easily have got through the Colonial Office. And now Dr. Tanner is punished, possibly by the exercise of an illegal and certainly an unusual jurisdiction, because he has unearthed that gentleman and stamped the character of the Resident Magistrates by giving Mr. Segrave as a specimen of the order. If the Irish Government did not know Mr. Segrave's antecedents when they appointed him, their negligence was in the highest degree culpable. If they did know them their conduct was wicked in the extreme. But is it to be believed that they did not know his antecedents? *Credat Judæus Apella.* I might freely translate that as "You may tell that to the Chancellor of the Exchequer." And now I come to the case of Dr. Tanner. He is at present serving three months' imprisonment. He was brought before a tribunal on a false and fictitious charge; he was charged under the Coercion Act, and if he misbehaved himself in Court the men who took him there were largely responsible for his misbehaviour. Of course, wonders never cease, but I want to know how it comes to pass that the two Resident Magistrates had a miraculous knowledge of the antique and obsolete Statute of Edward III., which was not possessed by the Law Officers of the Crown in this House, or even by an ex-Attorney General for England? Who suggested it to these men? How did they find it out? Who drafted for them that elaborate and legal document of process for contempt, which they brought with them into Court? Was it done by inspiration? Where did it come from? Did it come from the recesses of the Cabinet? When the appeal was being heard one very interesting observation was made by the Attorney General for Ireland. He said—

"I have given my opinion that this jurisdiction exists in this case, whether justly exercised or not."

Why did he go the extreme length of giving that opinion? I am certain that that document came from Dublin Castle. There is nothing new under the sun. A similar act of discovering musty and obsolete laws was once done in England in the days of the Stuarts, and all I can say is that a man who would dig down and exhume old statutes which everybody has forgotten for the purpose of doing an injustice, or what is worse, for the purpose of political calumny, is a person of whom no Administration need be proud. I regret that the Chief Secretary is not in his place. He has again and again reproved me for the tone of my references to these Magistrates. Of course I only laugh at his reproof. I again say that they are underground and secret agents carrying out the behests of the Chief Secretary. They are in a position of inferiority, they are dependent upon him. The "able and experienced judges" called Resident Magistrates are manufactured at Dublin Castle at round table conferences between them and the Chief Secretary for Ireland called to discuss the political situation. Otherwise what is the meaning of the paragraph recently published to the effect that Colonel Turner, Mr. Cecil Roche, and another Magistrate, who has been in attendance on the Chief Secretary during the last two days at the Castle, have returned to their districts. That is the way in which you manufacture your competent and experienced Judges. You have a conference between the starving Judges and their paymaster. When the Coercion Act first came into operation the right hon. Gentleman's minions thought they would best curry favour with him by inflicting the heaviest possible sen-

tences under the Act, and consequently we had quite a crop of sentences of six months' imprisonment. This, of course, led to appeals, and pending the hearing of these the convicted Members went about the country repeating the so-called offences. The right hon. Gentleman, speaking in Manchester, in November, 1887, said that Resident Magistrates ought to give one month sentences, so that there would be no fear of appeal or of the men who were charged going about the country promoting disorder and confusion before the appeal was heard. For three months after the delivery of that speech I noticed that sentences for one month, accompanied with hard labour, were given, and the persons convicted were thus robbed of their right of appeal. The right hon. Gentleman made a comical excuse about the peregrinations of the Resident Magistrates. I asked him how it came to pass that, although these Magistrates were travelling all about the country, we were refused statistics in reference to the number of cases tried by each of them under the Coercion Act? Why are they sent all over the country? Is it not because men like Hamilton and Cecil Roche and Segrave could be relied upon to convict? I was reading last Sunday the Book of Job, which I will recommend the Members of the Government to peruse. A question was put to one, who was certainly not an angel, whence he came. The reply was from going up and down in the earth and from going to and fro in the land. That is exactly the motto of the favorite Resident Magistrates, and I have no doubt that when these gentlemen have finished their careers they will receive from the right hon. Gentleman the commendation, "Well done thou good and faithful servants." Now, I think no accusation against the Government would be complete unless we brought in a touch of the *Times*. I find that Captain Plunkett, the "don't-hesitate-to-shoot" man, was away from his duties 56 days in London, and Mr. Slack was absent 60 days. Three other Resident Magistrates volunteered to help the *Times* in tabulating returns for the Special Commission, and the Government, which out of its generosity gave the services of its Attorney General, has given rapid promotion to these men. Mr. Cecil Roche is promoted, and why? "Because," says the Chief Secretary, "he richly deserves it." At the risk of being a little out of order I may say I wonder whether that gentleman is a far-away cousin of an interesting family, because the country is being governed at present by a family party. In conclusion, let me say that Resident Magistrates in Ireland bring justice into contempt, and they are the chief priests in the blasphemy of justice which at present characterises Irish administration.

MR. GILL (Louth, S.): I believe that the Statute of Edward III. has been used against the hon. Member for Mid Cork (Dr. Tanner), Mr. Powell, and the rest simply for the purpose of depriving them of the right of appeal, and at the same time inflicting on them a longer term of imprisonment than can be inflicted under the Crimes Act without an opportunity of appealing being afforded. The case of the hon. Member for Mid Cork is by no means an isolated one. There is also the case of Mr. Powell, of the *Midland Tribune*, the case of Mr. O'Reilly, of County Tipperary, both of whom were sentenced under the Act of Edward III. I find also that, on Tuesday last, two Magistrates in County Cork sentenced one of the tenants on the Ponsonby Estate under that Statute. The young man was cited for one of the usual offences under the Coercion Act, and sentenced to a month's imprisonment. The defendant said, "I accept the sentence, and I would do the same in the morning." The Bench then reconsidered their sentence, and ordered the defendant to find bail for his good behaviour for 12 months, or to go to prison for a further term of three months. Besides these cases, there are six others, of tenants on the Leader Estate in County Cork, who were sentenced under the same Act. The fact is, that there is what I think I may call a wholesale application of the Act of Edward III., so as to deprive the people of the right of appeal. We have seen, in the case of Dr. Tanner, that no right of appeal exists. I denounce this as a conspiracy between the right hon. Gentleman and his Removable Magistrates, to effect the same purpose with regard to Coercion Act prisoners as he originally tried to effect by consecutive sentences of one month's imprisonment. The apologists for the Government may

say, as the Attorney General for Ireland said in Court the other day, that this is no punishment at all, because a man can escape going to gaol if he gives bail to be of good behaviour. The Chief Baron of the Exchequer said the other day, "For my part, if I was ordered to give bail for good behaviour, nothing in the world would induce me to do so." The Irish people have taken the very same view of this indignity. It is of course on the calculation that they would take that view that this policy is being adopted. It is known that in no single instance would any of these men, who are not criminals, consent to give bail to be of good behaviour and thus place a brand and stigma upon themselves. I trust the point will be dwelt upon by other speakers, and that public opinion will be so brought to bear upon this attempt to deprive the intended victims of the Coercion Act of the right of appeal, which even this House of Commons had the intention of giving them, that the scheme will be exploded as was that of giving consecutive sentences of one month's imprisonment. Now, Mr. Courtney, there is one very important matter to which I wish to refer in regard to the Resident Magistrates. One of the most important and prudent of these executive officers in Ireland is Colonel Turner. I wish to draw attention to some of the recent proceedings of that gentleman, and to call upon the right hon. Gentleman the Chief Secretary for Ireland to say whether, in his opinion, Colonel Turner is a fit and proper person to hold the position he does hold. Colonel Turner is a Divisional Commissioner for the district of Clare, Kerry, and other counties, and I wish to refer particularly to his conduct in connection with the Vandaleur Estate, which has been the scene of some of the most striking eviction episodes that have taken place in Ireland, and which has been still more recently before the notice of the public as one of the most important instances in which the struggle of the Plan of Campaign has ended in securing justice for the tenant, and in bringing to reason a landlord who originally was mistaken enough to deny the just claims of his tenants. The right hon. Gentleman (Mr. A. J. Balfour) told me the other night that the battering ram had only been used in a couple of instances. Why on this very estate when the evictions began there the battering ram was used under the active superintendance of Colonel Turner in the cases of some twenty tenants, and the whole district was devastated by its operations. Numerous evictions took place, and a number of houses were levelled with the battering ram. The result was that the peace of the district was disturbed, and Clare became one of those counties which the right hon. Gentleman was able to quote at the head of his Coercion statistics. Colonel Turner was not content with superintending and aiding in the operations for the clearance of the estate, but he actually wrote letters to the *Times* describing what ought to be done, and was one of the first of those to suggest that which was known some time ago as the plantation policy. He suggested that the farms of the evicted tenants should be given to people imported from the North of Ireland and elsewhere, and stocked with the cattle of the Landlords' Association. Well, a few months ago a change came over the spirit of the scene. The landlord was reasonable enough; and I give him every credit for his action. I think it was a course of action which the landlords through the West of Ireland would have been wise to follow. Colonel Vandaleur had the good sense and feeling to think that a war with his tenants under these circumstances was a great mistake, and he declared he was willing to submit the quarrel between them to arbitration, if the tenants were also willing. Of course the tenants were willing, as the tenants on every estate in Ireland are willing, to accept the principle of arbitration. The hon. and learned Gentleman the Member for Hackney (Sir C. Russell) was chosen by the landlord as arbitrator, and the tenants hailed his appointment with the utmost satisfaction. His award was made in a few days. It was carried out in the most whole-hearted spirit, and peace was restored to the whole district. The Chief Secretary for Ireland had been asked just before this whether he would interfere, and had declined. What the Government of the country, who are charged with maintaining peace and order, had neglected was carried out by the landlord himself and by the hon. and learned Member for Hackney, and the Lord Mayor of Dublin (Mr. Sexton),

all of them private individuals unconnected with the Government. Under the award all the evicted tenants were to be reinstated, and the landlord announced that he would reinstate every one of them. The Emergency men took their departure, and the extra police who had been saddled on the district all went away. But there was one of these farms which the landlord had been foolish enough to use in the manner suggested by Colonel Turner. It had been let to a land grabber. The landlord desired to have the farm given back to the original tenant as the rest were. The land-grabber had been but a short time in possession of the farm when he felt the public opinion of the country was so strong against his action that he resolved to go to America. He practically abandoned the farm and went away. A few days afterwards, however, the grabber's mother took up possession of the farm. She was approached by the priests of the district, as representing the tenants, and it was found that with a very little arrangement she could be induced to place no obstacle in the way of the return of the evicted tenant. Everything now promised most harmoniously. But at this point there comes in Colonel Turner, the Divisional Commissioner, the gentleman whose duty it is to preserve the peace of the district and to give all his thought and energies to the study of how to preserve the peace of the district. What does he do in this case? He steps in between the landlord and the tenant and does his utmost—and has been doing his utmost up to this very moment—to prevent the peace of the district being established, and to prevent the carrying out of a settlement desired by landlords, tenants, arbitrators, and the friends of both sides, including an hon. and respected Member of the Tory Party, sitting opposite. It was proved in Court—not in a Court of Justice but in one of these Coercion Courts—that he went with a removable Magistrate, Captain Welsh, to Mrs Jackson, the landgrabber's mother, who was willing to refrain from throwing any obstacle in the way of the settlement. The visit was paid the day after the award was made; and they announced to her, in presence of the police-guard who were with her, that she had a claim on the holding which she could maintain, in spite of the landlord and in spite of everybody, and they advised her to keep a grip on it, and not give it up. That is how the Divisional Commissioner for the West of Ireland carries out the duty of preserving peace in his district. So far had the negotiations gone for the restoration of the real tenant to that holding that his cattle had actually—in accordance with the award, and practically with the permission of Mrs. Jackson—been put to grass on his farm. His neighbours had also begun to build up again his house, which had been destroyed. After the visit of Colonel Turner and Captain Welsh the woman drove all the cattle off the holding, telling the evicted tenant clearly that she would summon him for trespass, and saying that Colonel Turner and Captain Welsh had told her to keep a grip upon the land. The woman took out a summons in the Petty Sessions Court for the trespass of the cattle which, by her own consent, had been placed on the land. And who was sitting on the Bench? The very Captain Welsh who had accompanied Colonel Turner on the visit to Mrs. Jackson. The woman was examined by the solicitor for the tenant, and admitted, without the least reserve, the whole story such as I have detailed to the Committee. She described the visit of Colonel Turner and Captain Welsh, and said how in consequence of that action she had taken the course I have referred to. Captain Welsh threw every obstacle in the way of the truth coming out by saying "You need not answer that question," and so on; but the fact was established that the visit had been paid in order to induce the woman to act as a rankling spearhead in the side of the country. I regret that the right hon. Gentleman the Chief Secretary has left his place, because remonstrances have been addressed to him by the landlord of the estate and by a member of his own Party who acted for the landlord in the negotiations with regard to the conduct of Colonel Turner; and I should like to ask the right hon. Gentleman, in the interests of truth and in the interests of respect for the administration of his law, to produce those remonstrances and to give the House the reasons why he still retains Colonel Turner in the position of Pasha of this district, and in the possession of powers

not known elsewhere on the face of Europe, except, perhaps, in the countries under the rule of Turkey or Russia. Colonel Turner is a gentleman for whom the right hon. Gentleman need have no affection, unless it be out of gratitude for these left-handed services. He cannot claim him as an honest political partizan, or as a thorough-going believer in his method of governing Ireland. Before the right hon. Gentleman (Mr. A. J. Balfour) came into office, and when another sun seemed to be rising above the horizon, Colonel Turner was not merely an ardent Home Ruler, but he has been described by a member of the Cowper Commission, in a letter which was famous at that time, as a noted Fenian. I do not myself allege that Colonel Turner was a member of the Fenian Body. But the description given by that member of the Cowper Commission of the hands into which General Buller had fallen—namely, those of Colonel Turner—was an illustration of what he regarded as the intensity of Colonel Turner's national principle. He said General Buller had fallen into the hands of a noted Fenian; and here I would point out that, at the time of the General Election of 1886, Colonel Turner did not devote his energies to the return of the Party to which the right hon. Gentleman the Chief Secretary belongs. A distinguished member of the Party to which I am attached is in possession of a letter written by Colonel Turner to another member of the same Party asking that gentleman to secure the attendance of a third gentlenan at the election for the Ayr Burghs to aid in the return of the Home Rule candidate. But the Home Rule Party having failed to obtain a majority at the General Election Colonel Turner probably thought it would not be convenient to confess his political proclivities under the new *régime*, and so, like the renegade he is, he turned over to the cause he had previously done his utmost to defeat, with all the zeal and energy that usually distinguish a recreant. He has, indeed, in aiding the right hon. Gentleman to carry out his policy of coercion, overstepped what even the right hon. Gentleman himself would consider the limits of reason and duty; and, interfering as he has done, between landlord and tenant in the extreme and perverted zeal he has displayed, he has even gone the length of insulting, in the most outrageous manner, one of the most respected and venerable priests of the religion which he himself professes—for Colonel Turner, be it understood, is a Roman Catholic. As an illustration, and a very forcible illustration, of the spirit in which he has acted throughout these negotiations in regard to the Vandaleur estate, I will read to the Committee an extract from a letter which has fallen into my hands, written by Colonel Turner to a fellow official. Father Dinan, the parish priest of Kilrush, is one of the oldest and most respected of the priests officiating throughout the diocese of which he is Vicar General. Everybody who knows anything of the South of Ireland knows the character of the reverend Dr. Dinan. Such was the action of that venerable and beloved priest that to him mainly, when we go back to the ultimate source, must be ascribed the restoration of peace to the district to which that estate belongs. He it is who has brought about the beneficial results that have been produced in the face of so much opposition. I may here add that the reverend Dr. Dinan is aided by a body of curates and parish priests than whom, in no part of Ireland, are there men more highly respected and honoured. Well, here is the way in which Colonel Turner, in a letter to a fellow official, whose name I shall not disclose, speaks of the Rev. Dr. Dinan and his fellow priests. He writes from Ennis, and the letter is dated last December:—

"I shall be sorry indeed to lose your services at Kilrush till a better state of things is established; but how that is to be done, till old Dinan and some of his villainous priests are removed, I do not see."

I have already explained to the Committee how Colonel Turner has done his part in establishing a better state of things, and I have also shown the part the Rev. Dr. Dinan has taken in the endeavour to establish peace. I have further shown how this recreant nationalist and Catholic does not scruple to describe some of the most respected priests of his own church: "How that is to be done, till old Dinan and some of his villainous priests are removed, I do not see." "Removed," in the sense in which it must here be taken, is a nice word to pass between one Irish official

and another. In fact, the whole letter is one of the most disgraceful and abominable revelations of the state of mind fostered by the judicial and executive functionaries, which the present Administration has enabled us to become acquainted with. There is but one more matter with which I have to deal. I have described to the Committee the restoration of the evicted tenants on the Vandaleur estate. Every one of the farms on which evictions had taken place, had been in the possession of emergency men with a special guard of policemen to themselves. Each of these policemen helped to swell the number ordinarily employed in the Clare District, and served to enable the right hon. Gentleman the Chief Secretary to draw lurid pictures of the state of that county. It was only the other day at the Clare Assizes, that Colonel Turner presented a Report to Judge Harrison, in which he stated that, owing to the operation of the Crimes Act, he had been enabled to withdraw 47 extra policemen from County Clare. These 47 men were the police who had been guarding the emergency men on the farms from which the tenants had been evicted. This is how the right hon. Gentleman fabricates his visionary statements as to peace being brought about by the administration of coercion. And yet, in spite of the exertions of the right hon. Gentleman, in spite of the most persistent, extraordinary and unparalleled exertions on the part of Colonel Turner, Captain Walsh, and other persons charged with the preservation of the peace in that District, the peace of the neighbourhood has only been restored by the action of private individuals. Nevertheless, here we have Colonel Turner addressing to the Judge of Assize a statement which I have no doubt the right hon. Gentleman has docketted for the purpose of quotation on some future occasion in order that he may show that owing to the way in which the Coercion Act has been administered, 47 of the extra police employed in maintaining the peace of that county have been removed, and that the peace of the district has been restored. The whole case is as apt an illustration of the way in which the right hon. Gentleman employs the services of his Divisional Commissioners and Removable Magistrates as could well be adduced; and it will be seen that it is not a system for the preservation of the peace, and the maintenance of law and order; but a system deliberately carried on for the provocation of disturbance, the prevention of peace, and the undermining of all respect for the administration of the law. I ask the right hon. Gentleman either to refute my statements as to Colonel Turner, and not to attempt this by a mere wave of the hand, or by an assertion based on nothing, except it be the statements of Colonel Turner himself, but by something in the shape of tangible fact; or else to tell the Committee the reason why he retains in the responsible position held by that Gentleman in county Clare, and several other counties, a man who has proved himself unworthy of his office, and who, instead of being the friend of law and order, has been the enemy of both, and a constant disturber of the public peace. I earnestly urge the right hon. Gentleman to offer some reply to me upon this matter, and I would appeal to the Committee to say whether what I have brought forward is not sufficiently serious to call for an answer. At the present moment Colonel Turner holds the position I have described, and I say it is a monstrous thing that a man should be retained in such a post who has been shown to have acted in the manner I have narrated.

*COLONEL BLUNDELL (Ince): The hon. Gentleman who has just sat down, has spoken of Colonel Turner having changed his colours in regard to political matters; but the hon. Gentleman seems to forget that there is such a thing as a process of slow conviction, and it is by that process that the opinions of Colonel Turner have been changed. I may add that it was entirely due to Colonel Turner declining to support the landlord that the compromise we have heard of was effected on the Vandaleur estate. I have this on the very best authority, and I would recommend the hon. Member for South Louth to ascertain for himself whether this is not the fact.

*MR. FLYNN (Cork, N.): I am glad to see the right hon. Gentleman the Chief Secretary in his place, not so much because I have risen to address the Committee, but because of the facts I desire to bring before him; facts

which I hope he will not endeavour to meet or refute by vague and general statements, without any satisfactory basis or foundation. In speaking of these matters the right hon. Gentleman usually winds up by paying a high tribute to the value of those officers who are discharging very troublesome duties at a period of great difficulty and danger with patriotic zeal and ability. I desire at the outset of my remarks to assure the Committee that in attacking the action of the Resident Magistrates and in mentioning some of them by name, we do not wish to be understood as attacking individuals; what we do is to attack the system they assist in administering. We look on them only as the miserable tools of a wicked system; as so many automatic machines into which the Crown Prosecutor or the district inspector shoves a copy of the *Gazette*, in some disturbed district, whereupon out rolls a conviction under the Crimes Act, as readily as a cigarette from the boxes with which we have latterly become so familiar throughout the country. We desire to assail the system under which these officials are appointed, and in order to do this terrible examples, which cannot be gainsaid by the other side, have been brought forward. A few days ago in anticipation of this debate, I asked for a very simple Return, but failed to obtain it. A Return has been in the hands of hon. Members since last March, but it does not contain what we wish to ascertain. In asking for the Return I have referred to, I regret to say that I did not meet with even the commonest of courtesy which the very youngest man of this House has a right to expect from any minister, however powerful or high in office. That Return would have needed very few headings, and I feel sure that it could have been made out in Dublin Castle, probably in ten minutes. It was to have been a Return showing the seniority of those persons who hold these appointments, and, had it been presented, the Committee would have been enabled to see, by reference to the salaries and dates of appointment, who among the total number, amounting, I believe, to 76, had been promoted over the heads of others; what increase of salary they had received, and the amount of class promotion they had obtained. But although this Return was refused, I have, through another source, managed to get particulars as to the extraordinary manner in which the promotion of these Resident Magistrates is brought about. The right hon. Gentleman, the chief Secretary has told us that seniority is not the only consideration in regard to questions of promotion; but at the same time he cannot gainsay the fact that under a normal state of things seniority is a valuable consideration in matters of promotion. I find that certain individuals who have been conspicuous and notorious in the administration of the Coercion Act, are exactly those who have been recently selected for promotion over the heads of others, and that they have been promoted in a manner that cannot be looked upon as otherwise than extremely suspicious. I find that a certain Mr. Horne, about whom, when we come to discuss the *Times* case, we shall no doubt hear something, and who was most active in working the *Times* case up, has been promoted over the heads of thirty of his colleagues, from the third to the first class, and that his salary has been increased by £250 a year. This may be a coincidence, but it is one of a number that go to build up a solid superstructure of fact which no hon. Gentleman in this House can explain away. Then we find that Mr. Harvey has been promoted from the second to the first class, with a rise of £125 a year, while Captains Walsh and Pearce and Mr. Maine and Mr. Irwin have also been promoted over quite a number of superior officers from one class to another. But what most concerns the argument in this connection is that the notorious Mr. Cecil Roche, whose name has so often been heard in this and in former Debates, has been promoted over the heads of at least 11 of his colleagues. Now, I say that the task of ascertaining these facts ought not to be left to the industry of any private individual. I ask, is the right hon. Gentleman ashamed of this system, or is he not. [*Cries of* "No" *from the Ministerial Benches.*] Then why does he refuse to present the simple Return that was asked for last Monday. Such a Return has always been issued to this House up to June, 1887, and I ask why has a change been made in the form in which it has hitherto been presented?

The reason can only be that the Committee would more easily be able to ascertain the *modus operandi* by which these men are promoted for the performance of their duties to the Executive. A great deal has been said of the want of qualification on the part of many of the Resident Magistrates, and I think we may divide the qualifications they possess into two classes, the negative and the positive. The negative qualifications belongs to the type represented by the Redmonds, the Gardners, the Segraves, the Warburtons, the Cecil Roches, and some others; and the positive qualification is that whereby they exhibit on every possible occasion a complete contempt for the public opinion of Ireland, and a stern antipathy to the Nationalist Party, whenever the opportunity offers itself. The right hon. Gentleman quoted with great glee last night—he seemed as proud of it as a woman of a new bonnet—a remark made by Chief Baron Palles, in reference to the case of the hon. Member for Mid Cork; but the same learned Judge and Mr. Baron Dowse, not long ago, in a celebrated case, delivered as crushing a judgment on a decision given by two of these Magistrates, Messrs. Redmond and Gardner, as any two Judges were ever called on to deliver on the action of inferior officials in Ireland. Besides this, I may remind the Committee that last November my hon. Friend the Member for Mid Cork brought under the notice of the House and the Government the conduct of Captain Segrave, and within a week of that time the Government were fully cognizant of facts that would have justified them in suspending Captain Segrave at once; but notwithstanding this, he was allowed to retain his office, and three months after he was in receipt of a salary of £435 a year. Then we have the case of Mr. Warburton, who was looked upon as an experienced Magistrate, in addition to being a well-informed and learned man. He is now dead and—*de mortuis nil nisi bonum*—I do not wish to say anything derogatory to his memory. Still, I may point out that Baron Dowse, in connection with a very ordinary case on which Mr. Warburton had adjudicated, characterised an act done by him as most ridiculous. The right hon. Gentleman the Chief Secretary never seems at all abashed by the most positive and incontrovertible statements of facts, which are public property and known to every man, woman, and child in Ireland. He denied last night what is a notorious fact. He denied that there was a combination of the Judicial and Administrative or Executive functions in the case of the Irish Resident Magistrates. Many extraordinary statements have been made as to matters of fact; but this statement of the right hon. Gentleman is not only utterly bewildering, but has not the slightest foundation. It is within my own knowledge, and that of my Friends near me, that the same Magistrates do discharge both Judicial and Executive functions in the same town and district—aye, and very frequently on the same day. There is nothing like reducing this statement to the closest possible issue. Take the case of Captain Gardiner, the Resident Magistrate in Cork. The fact of his performing magisterial functions in Cork does not prevent his adjudicating in the Counties of Limerick and Kerry, and besides this, I have seen him charging at the head of a troop of lancers and going out at the head of a large number of police. I have, scores of times, seen him at the head of constabulary armed with baton and bayonet keeping order—or rather promoting disorder—in the streets of Cork and other places. I ask the right hon. Gentleman the Chief Secretary, therefore, if he will be candid enough to withdraw the statement he made last night with regard to the allegation that Captain Gardiner is to be seen one day adjudicating in the City of Cork and another day heading a battle charge. Captain Segrave was another Resident Magistrate who combined Executive with administrative functions whilst stationed at Kanturk. He sat in judgment upon myself and several priests, and on other occasions was in charge of constabulary. In April, 1888, when I, accompanied by my hon. and learned Friend the Member for Longford (Mr. T. Healy), went down to test the accuracy of the statement of the Chief Secretary that the National League was a thing of the past, I saw Captain Segrave charging at the head of the constabulary. I will give another case—that of Mr. Cecil Roche of Tralee. Not satisfied with adjudicating

on the Bench in the Petty Sessions district of Tralee and at Killarney, we find him actually leaving the Bench to put himself at the head of the constabulary in order to beat the people, men, women, and children. Is that a mixing up of judicial and administrative functions, or is it not? I could give similar cases from almost every Petty Sessional district in Ireland, and I hope the Chief Secretary will now have the candour to withdraw the statement he has made if it is at all possible for him to do anything consistent with veracity.

THE CHAIRMAN: The hon. Member must know that that language is not permissible. He must withdraw the expression he has used.

*MR. FLYNN: I withdraw the word "veracity."

THE CHAIRMAN: The hon. Member must withdraw in a suitable manner.

*MR. FLYNN: I withdraw, Sir, and apologise for using the word. What I wished to convey was that the right hon. Gentleman does not give an accurate idea to the House in his narrative of affairs that occur in Ireland, but brings forward and maintains as facts what we know to be absolutely without foundation. With regard to Captain Slacke, Divisional Commissioner, who was in command of the forces on the occasion of the painful evictions at Luggacurran a few months ago, I should like to know whether he was paid for doing the landlords' work or not? He and an Inspector of Constabulary, whom he had with him, brought forward from the rent-office particulars of the valuation and the rent and arrears due from all the tenants. They furnished the landlords' version of the dispute to all who wished to know it, in particular to the gentlemen of the Press; and, if these officials were paid for doing the work of the landlord, I think it ought to be known to the Committee. In connection with Captain Slacke, I have to complain of a most contemptible and discreditable breach of faith, for which, however, I do not hold Captain Slacke personally responsible. On the occasion of certain evictions, I was in attendance for the purpose of obtaining some information from the tenants, and Captain Slacke came up to me and two or three representatives of the Press, with whom I was in conversation, and said, "Mr. Flynn, in case you may have business in Dublin or elsewhere, I feel it right to tell you that to-morrow these evictions will not be proceeded with." I and my friends accordingly returned to Dublin, and the next day I received a telegram saying that a large force of police had marched out from their encampment, accompanied by soldiers, and had evicted a number of families. Whoever was responsible for this I do not know; but it was a most contemptible and discreditable transaction. Whether it was done to withdraw the remainder of the evictions from the light of public criticism—to ensure that they should be effected in the absence of the gentlemen of the Press—I do not undertake to say, but to me it looks suspiciously as though that were the case. I will now only draw attention to one or two little matters which I think have, up to the present, escaped the notice of the Committee. The right hon. Gentleman the Chief Secretary, as well as the Solicitor General for Ireland, have referred in terms of triumph to the small number of cases on appeal in which the sentences of the Magistrates have been reversed. I think the hon. and learned Member for Longford (Mr. T. Healy) has pretty effectually disposed of that portion of the case, and I trust right hon. Gentlemen will not have the temerity to refer to it in the same spirit again. I would ask the attention of the Committee to this significant fact—that, from the commencement of the proceedings under the Coercion Act, there has been no recorded instance in which two Resident Magistrates on the Bench have differed in deciding a case. Chief Baron Palles, and Baron Dowse, and Mr. Justice Andrews may differ as to most important questions of law, and as to questions of fact, and the most learned and experienced Judges may differ. Ordinary unpaid Magistrates may differ, but there is no instance on record, so far as my observation goes, where Resident Magistrates have differed as to the cases which have come before them; and there has only been one case in which Members of the Nationalist Party brought before them has been acquitted. Another thing which shows the animus of the Resident Magistrates is this. They have power, under the Coercion Act, to make persons whom they con-

vict first-class misdemeanants, but I am not aware that they have exercised the power, although in a few cases the County Court Judges have done so on appeal. The Magistrates would have been guilty of no dereliction of duty had they exercised this power, but they have not exercised it—at any rate, if they have it has only been in one or two cases. They have acted entirely in negation of the legal maxim which obtains in every civilised country, namely, "Acquit if you can; convict if you must." Their policy has been to convict if they could, and acquit only if compelled to do so. Seeing that that is the spirit in which these gentlemen have performed their functions, and that the large salaries we are asked to vote would be paid for duties that are productive only of disorder and contempt for the law, I trust that the Committee will resist the demand of the Government.

*Mr. A. PEASE (York): I understand that under the Rules of the House, the Amendment I had the honour to move yesterday has lapsed. I beg, therefore, formally, to propose it again. I move to reduce the Vote by £1,000 as a protest against the system under which the Resident Magistrates are appointed, and against the manner in which the administration of Ireland is carried on by the Chief Secretary for Ireland.

Motion made, and Question proposed, "That a sum, not exceeding £83,062, be granted for the said Service."—(*Mr. Alfred Pease.*)

*Mr. PIERCE MAHONY (Meath, N.): I desire to make a short personal explanation before proceeding to deal more directly with the subject before the Committee. I had the honour to address the House early this morning, and I find in the *Times* a report to the effect that I commented on the absence of the Liberal Party during these Debates. I am sorry that it should have gone forth that I referred deprecatingly to their absence. On the contrary, I referred to the observation of the Chief Secretary for Ireland, who had said that the Liberal Party had been absent; and I said that so far from the Liberal Party being absent during these discussions what struck me was that so many Liberal Members were present at this late period of the Session. I cannot imagine a more unfair way of reporting what I said. I trust that either the right hon. Gentleman the Chief Secretary or the Irish Solicitor General will rise to address the Committee before we go to a Division, and that he will allude to the letter read by the hon. Member for Louth in which Colonel Turner used most insulting expressions against a revered priest and his colleagues in County Clare. I also trust that a pledge will be given that a subject to which I am now going to refer will be inquired into. I am delighted to see the noble Lord the Member for Rossendale in his place, for there are a great many people in this country who look up to him with great respect as a model of what an Englishman ought to be, and I am about to bring a case before the Committee which I think ought to appeal to the feelings of the noble Lord and to every English gentleman here. It is the case of Mr. Cecil Roche who pronounced sentence on my hon. Friend the Member for West Kerry. I hold that a more vindictive, cruel and abominable sentence was never pronounced by an Irish Resident Magistrate. What was the offence for which he was sentenced to six months' hard labour? It was not making a speech, it was merely publishing in his newspaper a report of a suppressed meeting of the National League as is shown in the letter in which Mr. Cecil Roche announced the conviction of my hon. Friend to the Speaker. Colonel Turner, the Divisional Commissioner who chose the Magistrates to try my hon. Friend, sat on the Bench during the trial. Owing to a remark made by my hon. Friend's counsel Colonel Turner left the Court, but before Mr. Cecil Roche and the other Magistrate gave their decision they took good care to "adjourn for lunch"—in order, as I believe, that they might consult Colonel Turner. When they returned they announced that they had convicted my hon. Friend. They had convicted him of what hon. Gentlemen opposite believe to be a crime deserving of the punishment of six months' imprisonment with hard labour and yet these Magistrates offered to let the convicted criminal go without a single minute's imprisonment if he would give his word that he would not offend in like manner again. Was there ever a greater farce

than that? You call my hon. Friend a convicted criminal in one breath, and a man of honour in the next. My hon. Friend did not appeal against the sentence, and some reasons why he did not have been given to-night. I want to give the Committee another, and it is this: Mr. Cecil Roche had been persecuting humble individuals in Kerry and Clare for months previously, and had brought those counties into a very dangerous state. My hon. Friend was aware of that, and he knew that the persecution of humble people did not attract the attention in this country that it ought to. My hon. Friend was known to some extent in this country and he wanted it to go before the people of England what these Resident Magistrates were capable of doing; he wanted the people of this country to realise the character of an unmodified, unaltered, sentence of one of these Coercion Courts. From the point of view of his own personal comfort hon. Members may not applaud his wisdom, but I think they must commend his courage. And, Sir, the sentence did come before the people of this country. It came to the electors of Govan. I brought it before them myself, and as a result I was able to send a message to my hon. Friend's wife, which, I hope, gave her some little comfort. A great deal has been made of the fact that Mr. Cecil Roche was appointed a Land Commissioner by the Liberal Government. It is no part of my duty to defend the Liberal Government. Their acts in the past have very often been bad, but I understand that they have now turned over a new leaf. Mr. Cecil Roche made himself conspicuous as a Land Commissioner by the insolence with which he treated his colleague Mr. Morrison, and, later, he has been notable for the evident pleasure which it gave him to attend evictions, to lead baton charges against the people, and to inflict severe sentences. This gentleman took a holiday last year, but even during his holiday this craze for eviction—this love of eviction, and delight in torturing unfortunate peasants—accompanied him. He actually was photographed in a group representing an eviction scene. This man, whose duties compel him to be present at these sad scenes, during his holiday for pleasure takes part in a mock eviction. I commend that to the notice of English Members. I trust the mind of the noble Lord the Member for Rossendale will dwell on this incident. I do not think the Committee will be of opinion that men of that kind are fit to have entrusted to their tender mercies the lives and liberties of the people of Kerry and Clare. It has been said that the Executive in no way interferes with the Resident Magistrates. Attention was called by the hon. Member for York to the case of Mr. Kilkelly, a Magistrate in the County of Clare. Mr. Kilkelly had the temerity, in a case under the Coercion Act, to differ from Mr. Cecil Roche, thinking that one month's imprisonment was sufficient, whereas Mr. Cecil Roche thought it should be two months'. The result was that Mr. Cecil Roche was left in the county, and Mr. Kilkelly was removed. I think I am correct in saying that for months or years Mr. Kilkelly was not thought fit to serve in any Coercion Court in Ireland, and only recently when the lesson may be supposed to have sunk deep enough into his mind, has he again been allowed to take part in these proceedings. Then we have the case of another Resident Magistrate, Mr. Butler, who also was removed because he gave fair decisions. Mr. Kilkelly was removed to the North of Ireland, and Mr. Butler treated in a similar fashion was removed to the worst and most inconvenient district in Kerry, and has not, I think, been allowed to sit in a Coercion Court since. This is the way in which the Government intimate their wishes to these gentlemen in Ireland; this is the way the Government convey to them that if they wish to get on it is better under all circumstances that they should not display too much leniency towards the unfortunate people brought before them. Reference has been frequently made to the case of the hon. Member for Mid Cork (Dr. Tanner), and we have had a great many arguments from lawyers upon the subject. I am not a lawyer and do not pretend to put a legal view before the Committee, but I want the Committee to bear this in mind, that Chief Baron Palles has declared that under no circumstances whatever could he be induced to give bail for good behaviour. After that expression of opinion from the Judge at the head of the Judicial Bench

in Ireland, that he would refuse under similiar circumstances to give bail as Dr. Tanner refused, I ask do the Government mean to keep the hon. Member for Mid Cork in gaol? When we debated Dr. Tanner's sentence on a motion for adjournment a few days ago I thought we had too much of the legal argument whether the Magistrates had the legal right to bind Dr. Tanner or not. It appears to me the important thing to keep in view, is the fact that—whether the Magistrates acted legally or not—remains, and no one will venture to dispute it, that no Bench of Magistrates in this country would dare to rake up this musty old Statute of Edward III. in order to arrogate to themselves powers that the people of this country would not allow to be used. That this statute was deliberately dug up for the purpose is abundantly proved by the Magistrates coming to Court with a long warrant carefully drawn out, which they had not time to draw out in Court nor the legal knowledge either. The warrant was prepared for them by some one with very superior knowledge, and within a few weeks similar warrants were used in other Courts in Ireland, and there are now several persons in gaol because they refused to do what the Chief Baron on the Irish Bench has said he under similar circumstances would refuse to do, namely, to give bail for good behaviour under this musty old Statute of Edward III.

The Committee divided.—Ayes 107; Noes 149.—(Div. List, No. 295.)

Original Question again proposed.

MR. T. M. HEALY (Longford, N.): I do not wish to oppose the Vote being taken to-night, but I think we are entitled to a more definite answer as to when we are to have the papers which were promised some four months ago, in reference to the transformation of Divisional Commissioners or Resident Magistrates into ordinary Justices of the Peace. We understood these Papers were shortly to be presented, and I hope we shall have them before the Report stage of this Vote is taken.

*MR. MADDEN: If I recollect aright, when the Motion for a Return was put down by the right hon. Gentleman the Lord Mayor of Dublin, the Government said they were prepared to assent to a Motion extending over the last 10 years, but the right hon. Gentleman did not move for this Return.

MR. T. M. HEALY: Will the Government give us what Papers they are prepared to present?

MR. A. J. BALFOUR: I will look into the matter, and shall be glad to give such information as can be given.

MR. GILL: I have felt it my duty to bring very serious charges against Colonel Turner, and I beg to say that on the Report Stage I shall again bring the conduct of this gentleman under the attention of the House.

MR. SEXTON (Belfast, W.): I beg to say that the Motion I put down for Paper, was in the form in which I thought it was necessary to have the information. I think we are entitled to the whole correspondence between the Government and the Lord Chancellor, in reference to the extraordinary manœuvre by which these gentlemen were removed from the position of Resident Magistrates to Justices of the Peace appointed by the Lord Chancellor. The Motion was blocked by the Government, though it is true when my patience was well-nigh worn out I did receive an intimation that the Government were willing to give the Papers in a less complete form, and I communicated to the Solicitor General for Ireland my view that, as proposed, the information would be of little use. I expected that the Government would relieve me from the responsibility of moving for Papers which I had said would be of little use, and would put down a Motion in the name of one of their officials. I trust now on reconsidering the subject the Government will give us a full and frank explanation on the subject. I will just add that I hope on the next Stage of this Vote the Chief Secretary will be prepared to offer some explanation in reference to the conduct of Colonel Turner and Mr. Walsh, whose interference in a dispute between landlord and tenants in a troubled district prevented the effectuation of a settlement when that was about to be arrived at.

MR. O'DOHERTY: There is an item of £448 for the examination of newspapers and hire of rooms, and it appears this expenditure is on account of a kind of Press censorship. It is very distinctly marked out, and is evidently an arrangement by which officers are engaged in various centres

to which newspapers of the district are sent and examined, on a kind of press censorship. Can the right hon. Gentleman give us any information upon this item?

MR. A. J. BALFOUR: No, the hire of rooms has nothing to do with a press censorship, which, as the hon. and learned Gentleman should be aware, does not exist in Ireland. In reply to the right hon. Gentleman (Mr. Sexton) I have to say, I shall be quite prepared to consider the allegations against Colonel Turner and Mr. Walsh. I feel sure these gentlemen have no desire to prevent settlements, and I believe the occurrence alluded to is quite capable of satisfactory explanation.

MR. O'DOHERTY: May I ask why the hire of rooms is associated with the item for newspapers?

MR. A. J. BALFOUR: Rooms are not hired for newspapers. The grammar of the entry leaves something to be desired, and I will endeavour to correct the English when the Vote next comes before the House.

Question put, and agreed to.

Resolution to be reported on Monday next; Committee to sit again upon Monday next.

PREFERENTIAL PAYMENTS IN BANKRUPTCY (IRELAND) BILL. (No. 319.)

Read a second time, and committed for Monday next.

LONDON COUNTY COUNCIL MONEY (No. 2) BILL. (No. 356.)

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

*Mr. H. W. LAWSON (St. Pancras, W.): I wish to enter a protest against the underhand and even treacherous way in which, in connection with this Bill, the Government have behaved.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I rise to a point of order, Sir. I appeal to you, is it right that the hon. Gentleman should term the action of the Government "underhand and treacherous."

*MR. SPEAKER: The word "underhand" is certainly not Parliamentary.

*MR. H. W. LAWSON: I at once withdraw the word, Sir. I think the right hon. Gentleman entirely misunderstood the meaning I meant to convey, which was certainly not directed against him personally. I wish to explain to the House exactly what happened in regard to this Bill. This is not the original London County Council Money Bill. It is a supposititious Bill introduced by the Government after withdrawing the other without notice to the Council, and the difference between the two is this, that the eighth clause of the former which gave the Council power to pay any costs with respect to an inquiry into the water supply of London by the Council, has been withdrawn. It is, to say the least, open to doubt whether this Bill should be introduced at all. When the Local Government Bill was in Committee last Session we moved a clause placing London in exactly the same position as Birmingham, Liverpool, and Manchester, with respect to the manner in which money should be raised, but the right hon. Gentleman the President of the Local Government Board insisted that the County Council should only raise money after application to Parliament. It was then understood that this Bill should be settled between the County Council and the Government. The original Bill was so settled. There were conferences between Sir Reginald Welby, representing the Treasury on the one hand—I am not bringing him into the matter *ad invidiam*—and Lord Rosebery, Lord Lingen, and my hon. Friend the Member for Dundee on the other. This clause was agreed upon, and the Bill was introduced into this House by the Government. Lord Rosebery went abroad, and, without the Council receiving any intimation, the Bill was suddenly withdrawn owing to the opposition of persons connected with the water companies, and another Bill was introduced from which the clause objected to was omitted. I think that in this matter the people of London have been hardly used. They wish—and justifiably so—to obtain more information as to the water supply which they have to put up with. It does not follow that they

will spend excessive sums to supplement inquiries which have already taken place, but they want power to make use of them which the original clause gave them. We have reason to complain that by a sort of back-stairs intrigue the clause has been spirited out of the Bill, and I hope the Financial Secretary to the Treasury will be able to give us some satisfactory explanations on the subject. If the Treasury approved the Bill in the first place, why did they not adhere to it; why did they cut out this clause? The water supply of London is a matter of intense importance to the people; they have reason to complain of the defects, costliness, and impurity of the present system of supply, and they ought to have a right of inquiry. I shall, therefore, try to re-insert the clause on the Committee stage.

MR. A. BAUMANN (Camberwell, Peckham): I think the Treasury have done wisely and well in cutting out this clause. I think it would be a monstrous thing if the County Council of London had been allowed to conduct a fishing inquiry into the capital of the water companies at the expense of the ratepayers, especially as there exists on record a very complete account of an inquiry into the water companies held not many years ago, and the members of the County Council can find out all about the water supply by consulting the evidence given before Sir W. Harcourt's Committee. Now, there are two things I should like to know. How long is the practice going to be continued of a Government official rising in his place without any explanation and introducing a Bill, of the details of which he knows nothing, and without affording any opportunity for discussing it? If the House of Commons is to exercise any effective control over the expenditure of the London County Council, Bills such as this ought to be introduced by some member of the Council who could make the details of the clauses plain to the House. Under this Bill the ratepayers of London will be called upon to supply £1,760,000, and I say that before passing it we ought to have full information given us. I do not know whether on the Motion for the Second Reading I should be in order in referring to clauses of the Bill, but there are some in respect of which we are surely entitled to demand some explanation. Under a sub-section of Clause 5, for example, the County Council asks for £350,000, nothing being said as to the purposes for which that sum is wanted. The House is surely entitled to know what the money is wanted for. Under another sub-section of the same clause the Council seek to obtain power to borrow money with the object of acquiring a site for a chamber. No sum is specified, however, and if the clause is agreed to in its present form they will be able to borrow any amount and to build themselves a "lordly pleasure house" indeed. I have heard of a sum of £3,000,000 being spent on such a purpose, and I do not believe that the ratepayers wish that so very large a sum should be spent on the construction of an Hotel de Ville for London. Again, under the Metropolitan Board of Works Act, 1881, and the Metropolitan Board of Works Bridges Act, 1884, power is given to borrow a sum of £791,000, and this Bill gives the Council power to borrow a sum of £17,000, provided that all the money borrowed and expended under these Acts does not exceed £791,000. But it seems to me that £1,100,000 has already been borrowed, and I should therefore like an explanation of these figures. Considering that the rate levied under the *régime* of the County Council has already reached 12d. and a fraction in the pound, I think that the representatives of the ratepayers in this House have a right to ask that the details of the Bill under consideration should be fully explained either by a Government official or by a representative of the London County Council.

MR. J. ROWLANDS (Finsbury, E.): I will leave to the Financial Secretary to the Treasury the task of explaining to the Member for Peckham his responsibility for introducing a Bill of the details of which he knows nothing. But I think this discussion will lead the House to realise the unenviable position in which it is placed in trying to retain control over the expenditure of London. It is the result of attempting to keep London in a "go-cart." If we had been successful in our Amendment last year, we should have relieved the House of Commons of the necessity of being

parties to this Bill. London ought really to be in the same position as the large Municipalities throughout the country, and I say it is impossible for Parliament to keep control over it by means of a Bill like this. Whether the expenditure is too great or not is a question which must be left to the Council's constituents. If the Council does not fulfil its stewardship honestly the ratepayers can call it to account. We in London are suffering from the present system of water supply. We want, not to rush into any scheme for buying up the water companies, but power to thoroughly investigate the sources of supply, and to ascertain whether a cheaper supply than the present cannot be obtained. Those Members of Parliament who have objected to the presence in the Bill of a clause which would have enabled the County Council to effect their purpose in this respect are either directors of existing water companies or relatives of directors. If hon. Members look at to-day's papers they will see an account of an action between a City firm and a water company. The firm owned an enormous warehouse in which hardly any water was used, and they naturally desired to be supplied by meter. They gained their judgment in the First Court they went to, but the company appealed and got it reversed. Then the City firm took the case to the House of Lords, which sustained the decision of the Court of Appeal, and it is now settled that the people of London cannot get their water supply by meterage. They must, instead, submit to pay on assessment, no matter how small a quantity of water they may require. Is there any other commodity which the people have to pay for on the same conditions?

*MR. SPEAKER: Order, order! The water supply clause does not form part of this Bill.

MR. JAMES ROWLANDS: Possibly I shall have an opportunity of raising this question when my hon. Friend moves in Committee to insert the clause. I think we have good cause to complain of the manner in which we have been treated in regard to this Bill. I am told that great pressure was brought to bear on the Government to cut out this clause. I do not care whether the pressure came from this side or the other side of the House; all I say is that we have a just demand for an inquiry into the water supply of London.

*SIR ROPER LETHBRIDGE (Kensington, N.): I think that the Metropolitan Members of this House, whether they sit on this side or on that, will desire to scrutinise very closely the large powers of expenditure which it is proposed to confer on the London County Council by this Bill; and, therefore, I trust that the hon. Member for Dundee, who represents the Council in this House, will give us some adequate explanation of the proposal. The hon. Member for Finsbury, who spoke last, said this was a matter for the London County Council itself to consider, and that it rested between the members of that body and their constituents. Well, but, Sir, for the next three years the constituents of the London County Council will have very little opportunity of saying anything on this point, or, indeed, upon many other points, as to which I suspect they will have a bone to pick with their present representatives in the London County Council when they come before them for re-election. The constitution of the London County Council has been fixed by this House with the very purpose of our exercising a certain amount of supervision over its powers of expenditure during the early period of its existence, and I venture to think that the London ratepayers are inclined at the present moment to be thankful that this House possesses that power of control. I hope that this House and that the ratepayers of London will observe that the fault found by the hon. Member for St. Pancras with this Bill is that it does not confer on the London County Council sufficiently wide powers of expenditure. I must say that from the somewhat cursory perusal I have been able to give to this Bill, it seems to me that the powers given are very large indeed, larger certainly than I should be inclined to agree to until we have had adequate explanations from those who officially speak for the County Council. I hope the ratepayers of London will observe that the hon. Member for St. Pancras wishes to enlarge these enormous powers and to enable the County Council to hold a fishing inquiry, and expend upon it a very considerable amount which will

come out of the pockets of the ratepayers.

*Mr. LAWSON: The hon. Member is attributing motives to me which are not justified. The Treasury introduced this clause into the original Bill.

*Sir ROPER LETHBRIDGE: The hon. Member is criticising this Bill because that clause has been omitted from it, and therefore I maintain, with all deference to him, that he does desire to give increased powers of expenditure to the London County Council.

Mr. T. C. BARING (London): I think it is perfectly impossible at this period of the Session and this hour of the night properly to discuss a Bill of this description. I also confess myself unable to reconcile the figures in the body of the Bill with the figures at either end of it, although the discrepancy may possibly admit of some explanation. For instance, although the Bill authorises the expenditure by the Council during the year of £880,000 odd, when I come to examine the figures in Clause 6, I find they do not amount to £800,000. I hope that next year, if we are to exercise any control over the expenditure of the London County Council, the Bill will be brought forward in such a form, and at such a time, that those who desire to understand what the people of London are paying for may be able to obtain the necessary information.

*Mr. R. K. CAUSTON (Southwark, West): The hon. Member for Peckham says the Government have done wisely and well in omitting the clause providing for the payment of the expenses of a water supply inquiry. I hope I shall be in order in asking the Secretary to the Treasury to explain why the Government have omitted from the Bill the clause authorising an expenditure by the London County Council for the purposes of an inquiry into the water supply of the Metropolis. The hon. Member also said that this would be a fishing inquiry. Well, I say that, fishing or otherwise, the people of London demand that there should be an inquiry into the pressing question of the water supply. Perhaps, too, I should not be out of order in pointing out to the House as regards the omitted clause——

*Mr. SPEAKER: Order, order!

Sir Roper Lethbridge

*Mr. CAUSTON: At any rate, I think we may demand from the Secretary to the Treasury some explanation of the extraordinary conduct of the Government.

*Mr. W. L. JACKSON (Leeds, N): I think the explanation is very simple. The clause referred to has not been introduced, as stated by the hon. Member for St. Pancras, by the Treasury, though no doubt the Bill with that clause was sanctioned by the Treasury. The hon. Member for St. Pancras spoke of the underhand and treacherous way in which this Bill has been dealt with. I do not think they were proper words to apply to action which is taken in this House in the ordinary course of business.

*Mr. SPEAKER: Order, order! The hon. Member withdrew the words complained of.

*Mr. W. L. JACKSON: I apologise, Sir, for referring to them. I wish to say that I found, when the Bill was introduced, that there was very great opposition to the clause on both sides of the House, it being pointed out that this annual Bill had always been regarded simply and only as a Money Bill, conferring borrowing powers on the municipal authority for the purpose of carrying into effect works which had been previously sanctioned by Parliament, and it was pointed out that this clause gave power to spend money on purposes not already sanctioned by Parliament. Her Majesty's Government were of opinion that there was much weight in these objections, and that, having regard to the period of the Session, it would be unreasonable to ask the House to make this innovation. They, therefore, moved the discharge of the Order for the Second Reading of the first Bill and brought in this amended Bill. The hon. Member for St. Pancras has spoken of the underhand conduct of the Treasury in this matter, and he states that this clause was withdrawn without any communication with the Chairman of the London County Council. But the hon. Member knows perfectly well that I endeavoured to communicate with the Chairman, and was only prevented doing so owing to his having gone abroad, and the hon. Member also knows that I did the next best thing,

and communicated with the Deputy Chairman.

*MR. LAWSON: Lord Rosebery went abroad after the last sitting of the Council. He could have been communicated with before that.

*MR. JACKSON: That does not affect my point at all. The statement has been made that no communication was made, whereas the hon. Member knew I had endeavoured to make the communication: that I communicated with the Deputy Chairman as early as I could, and that I also communicated by letter with the Council.

*MR. LAWSON: I learned from the Deputy Chairman that he was not communicated with.

*MR. FIRTH (Dundee): My hon. Friend is mistaken. I wrote a letter to the Financial Secretary on the matter.

*MR. LAWSON: Yes, afterwards.

*MR. JACKSON: I have now explained to the House the course I took. The hon. Member for Peckham has asked for information as to one or two points, and, first, as to a sum of £350,000 referred to in Sub-section 2 of Clause 5. Under the Local Government Act the County Council is entrusted with the power of dealing with lunatic asylums in Surrey and Middlesex, and this sum is for the purpose of carrying out certain buildings that are required. As to the apprehensions of the hon. Member respecting the power given in respect to building a Council Chamber, these are not very well founded, as no money can be actually expended until the expenditure has been previously sanctioned by Parliament. It would not be wise to put in the Bill the sum proposed to be given for the site when negotiations are in progress as to the amount to be paid. My hon. Friend also asked as to the proposal to give power to borrow £17,000, provided the total sum borrowed for certain purposes does not exceed £791,000. He suggests that that sum has already been exceeded, and that £1,100,000 has been borrowed. But, as a fact, the £17,000 will bring the amount borrowed under the Acts of 1881 and 1884 to £791,000, and I think my hon. Friend must be confusing the figures and including sums previously authorised to be borrowed. May I add that the duty of moving the Second Reading of this Bill is not one which the Secretary to the Treasury voluntarily undertakes, but that it is a duty imposed on him by an arrangement of long standing.

MR. F. W. ISAACSON (Tower Hamlets, Stepney): Will any amount be put in the Bill to show what will be paid for the site of the new Council Chamber?

*MR. JACKSON: No; I am afraid the negotiations will not be completed in time. But the agreement for purchase cannot be made without the sanction of the Treasury.

MR. FIRTH: I should like to explain a matter on which a little discrepancy which has arisen. This deletion of the clause was made before I had any notice of it, and, indeed, my hon. Friend the Member for St. Pancras was the first to give me information about it. I told him when he called on me I had heard nothing about it, but subsequently I found on the Table of the Chairman of the Council a letter conveying the information.

*MR. JACKSON: Perhaps I ought to explain that I fell into a mistake. When I referred to the deputy Chairman I meant the hon. Baronet the Member for the University of London, and not the hon. Member for Dundee.

MR. FIRTH: The titular appellation of the hon. Baronet is Vice Chairman: I may say that the clause which has been omitted is in exactly the same language as that contained in a Bill which I proposed in 1882, in the Markets Bill, which we carried through at half-past three in the morning. I think the Secretary to the Treasury has given a sufficient explanation of the Bill; but I may add that the sum of £350,000 which is authorised to be raised is for buildings which we are bound to erect.

MR. COCHRANE-BAILLIE (St. Pancras, N.): With reference to Sub-section 4, Clause 5, may I ask if any steps have been taken to see if it is not possible to alter the present offices so as to make them suitable for the Council?

MR. FIRTH: I think that no one who has been through the building which the County Council are now occupying would wish them to remain there longer than possible. A Committee has thoroughly investigated the matter. We have temporarily enlarged the building, and if the hon. Member will do us the courtesy to call, I think

he will fully agree with the steps we are taking to get new offices.

Question put, and agreed to.

Bill read a second time, and committed for Monday next.

TECHNICAL INSTRUCTION BILL.

(No. 350.)

Order read, for resuming Adjourned Debate on Question [1st August], "That the Bill be now read a second time."

Question again proposed.

Debate resumed.

*MR. GEORGE DIXON (Birmingham, Edgbaston): As I understand that the Government have agreed to accept the Amendment of my hon. Friend the Member for the Gorton Division of Lancashire, I shall not move the Motion which appears in my name.

MR. CHANNING (Northampton, E.): The Vice President of the Council in laying this Bill before the House has placed the friends of technical education in a very difficult position. He must be well aware that a good many education reformers object to secondary education being handed over to Local Authorities instead of specially elected educational bodies. Unless some concession is made to our views the Bill will be strongly opposed.

MR. T. E. ELLIS (Merionethshire): Under the Intermediate Education Bill Parliament has given power to Parochial Authorities to levy a halfpenny rate for exactly the same purposes as are provided for in this Bill, and I therefore wish to know if the provisions of this Bill will enable them to levy an additional rate.

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): I do not think any Local Authority will impose any double rate.

MR. A. J. MUNDELLA (Sheffield, Brightside): I do not oppose the Second Reading of the Bill, but I accept it with great regret and reluctance. After the country has been expecting a Technical Education Bill for two years, the measure now before the House is a great disappointment. The real mischief is embodied in Subsection (*a*) of Clause 1, which prevents the Local Authority from aiding out of local rates any technical or manual instruction in elementary schools, and therefore by this Bill you are building a castle in the air and providing secondary technical instruction, because there is some idea that the voluntary schools stand in the way of introducing this technical instruction in elementary schools. Even agricultural instruction is excluded from elementary schools by virtue of this Bill, notwithstanding the recommendations of the Royal Commission. What will this Bill do for London? For two years the London School Board has had before it a scheme of technical instruction which everybody wishes to see enforced, but this Bill will not allow a single boy in the London Board Schools to obtain this kind of instruction. It is true the County Council will be able, to some extent, to aid the Polytechnic, and for that reason I do not oppose the Bill, although I look upon it as a miserable compromise and as a miserable attempt to fulfil the promises of the Government. The existing system of elementary education is too booky; and it is desired to give to the boys a little manual, scientific, and technical instruction that they may take with them to higher colleges. This Bill will enable anything of the sort to be done. The Bill is one of the greatest shams ever perpetrated in the House, and I hope that it will be much altered in Committee.

Question put. "That the Bill be read a second time."

MR. CHANNING: I object, because no reply has been given to my remarks.

THE PRESIDENT OF THE BOARD OF TRADE (Sir MICHAEL HICKS BEACH, Bristol, W.): On a point of order, Sir, the hon. Member has already spoken on this stage. Can he now object?

*MR. SPEAKER: If the words "I object" reach my ears, it is sufficient. It is not necessary for me to know whence they proceed.

MR. CHANNING: I object.

Objection being taken to Further Proceeding, the Debate stood adjourned.

Debate to be resumed upon Monday next.

It being One of the clock, Mr. Speaker adjourned the House without Question put.

House adjourned at One o'clock till Monday next

HANSARD'S PARLIAMENTARY DEBATES.

No. 8.] SEVENTH VOLUME OF SESSION 1889. [AUGUST 20.

HOUSE OF LORDS,

Monday, 12th August, 1889.

COMMISSION.

The following Bills received the Royal Assent:—

Prince of Wales's Children.
Telegraphs (Isle of Man).
Advertisement Rating.
Small Debts (Scotland).
Canada (Ontario Boundary).
Passengers Acts Amendment.
Board of Agriculture.
Audit (Army and Navy Accounts).
Trust Funds Investment.
Windward Islands Appeal Court.
Settled Land Acts Amendment.
Companies Clauses Consolidation Act, 1888, Amendment.
Marriages (Basutoland, &c.).
Judicial Factors (Scotland).
Intermediate Education (Wales).

PRIVATE BILLS (ALTERATION OF EMORANDUM OF ASSOCIATION.)

Report from the Select Committee (with the proceedings of the Committee) made; and to be printed. [No. 224]: And to be considered on Thursday next.

EGYPT — MILITARY OPERATIONS AGAINST THE DERVISHES—FUTURE POLICY.

QUESTIONS.—OBSERVATIONS.

THE EARL OF CARNARVON, in rising to call attention to the hostilities on the Nile and the general condition of affairs in Egypt, said: I will not repeat now what was said the other evening, in which I so heartily joined—the expression of deep satisfaction at the skill, courage, and conduct of our troops in the recent hostilities on the Nile; those who took part in that short conversation bore emphatic testimony to that, and it would be needlessly taking up the time of your Lordships if I were to advert to it again. I suppose no reasonable man doubted what the issue of those hostilities would be; but, as I said before, there is a larger question behind—a larger question as regards the possible or probable recurrence of such difficulties and the general policy which is to be maintained in Egypt. I need not delay your Lordships by more than the briefest reminder of the circumstances which have brought us to the present pass of events. The House will remember how the dual control was brought to an end, the insurrection of Arabi, the bombardment of Alexandria, and the battle of Tel-el-Kebir. Single-handed in fact, and in default of all allies we entered Egypt; single-handed we fought our battles; single handed we won all our successes. But very soon afterwards we were startled by the news of the defeat of Hicks Pasha, and I need not recall the circumstances that followed and ulminated in the tragical disaster to Gordon at Khartoum. Very soon after that the withdrawal of our garrisons commenced, and of those that remained some were massacred, some disappeared, and the history of some is even now buried in complete obscurity. There was a declaration made very soon after that time, or about that time, to the effect that we intended to withdraw from Egypt at a certain specified date. I always regretted that declaration, but

that declaration was followed by many similar declarations, if not quite as precise in language, at all events bearing very closely the same character. Then commenced the general policy of withdrawal from the outposts, the concentrating of troops for the defence of Egypt proper, and a gradual reduction of the armed forces. That reduction went on from month to month until recently the force could not have been above 2,500 men, or thereabouts. Then ensued that which had been predicted by a great many persons familiar with Eastern affairs, fresh risings on the frontier, fresh harassing of our positions, till at last occurred the recent invasion which we have been obliged to arrest by sending troops from other places. If we had sustained a reverse we should have been obliged to send many more troops. In the events of the last few days there is very much to rejoice over, and perhaps not the least ground of satisfaction is that the health of the British troops, contrary to what might have been expected, has been admirable. I need not point out that the difficulties of European troops are greatly aggravated by the summer heat of such a country as Egypt. Seasoned troops alone can bear such a climate. But unseasoned troops must die like flies. The reason why our troops did stand the severity of the climate was that they were entirely seasoned troops. We were obliged to bring them from Malta, from Cyprus, and possibly from Gibraltar. I think it has been a wise policy on the part of the Government during the last two years, or somewhat less, to increase the strength of our garrison at Malta, which for a long time had been unduly low. The garrison there, however, is very limited, and if any check had occurred, troops of a very different quality and material must have been procured elsewhere. But, my Lords, the question to which I wish to draw the attention of Her Majesty's Government and this House is not purely a military question, it is essentially a mixed one. Egypt, to use a metaphor which was applied to a smaller country in Europe, is now the cockpit of European diplomacy. Rival theories are contending and struggling for the mastery. I do not propose to go very closely into that part of the subject, but I may remind your Lordships that very briefly there are three principal theories that struggle for ascendency. First of all, there is that which is known by the name of neutralisation. It is founded on the idea that Egypt may be placed, by the agreement of European Powers, in the same position of neutrality as Belgium. The answer to that is that Egypt is not, and cannot be for a long time, at all events, a Belgium. Her people are not Belgians. They have not learned the art of Constitutional Self-Government; and it would be idle to suppose that anything short of a very long apprenticeship indeed could teach it to them. There are not in Egypt at the present moment the elements for Constitutional Government, as, on the other hand, there are not the elements for a benignant despotism. Then there is that which is sometimes described as the International theory—a theory which finds favour in France, but which I believe to be equally impossible. The idea is that each Power in Europe should be proportionately represented, and should exercise a proportionate power in the management of the country. But the great objection to that is that each country and each Government has its own special object—or rather that certain parties in each country have their own objects and their own interests. These objects and interests are not for the good of Egypt, but generally for the promotion of the interests of capitalists, of bondholders, of financial rings, of persons who have private and personal objects to satisfy. If that theory were attempted in reality it could only end in a crowd of jarring interests, many of them of a very inferior character, and certainly none likely to contribute to the welfare of the country. We next come to the theory which is mainly represented by English ideas, and that resolves itself very simply into this—that "we should either stay and govern, or go." Let me say a word as to our staying and governing, and let me ask your Lordships to consider what we have done and what we have not done in Egypt. What we have done has been, I believe, in many ways a satisfactory record. We have abolished the lash, we have put an end to torture, we have greatly improved the prisons, we have purified the judicial system, we have augmented and developed the irrigation system of the country, that most fertile source of revenue, and we have

created an effective and well-drilled army. It is impossible to express too strongly the debt we owe to the able and conscientious public servants who have laboured in this work in Egypt. Moreover, life and property have been comparatively secure, and, lastly, I am told by those who know the country that sentiments have grown up in the mind of the fellah, who has been down-trodden for generations upon generations, which, though they do not actually make him in all senses of the word a free man fit to govern himself, still make him a very different character from that oppressed and miserable person that he was a short time since. That is, briefly summarised, what we have done. What we have not done also is a longer list than I quite like to think of. I do not say that it has been our fault; circumstances and conflicting policies have fought against us; but the taxation of the country still remains unequal, unjust, and often very oppressive. One of the first things which it was our object to do in the purposes of good government was, no doubt, to create a new assessment; but the old assessment continues, and with it most of its injustices and cruelties. I believe (my noble Friend will correct me if I am wrong) that at no very great distance from Cairo, in the interior of the country, so hardly does the enforcement of this old assessment press upon the people that there are very frequent sequestrations of land for the non-payment of taxes. I apprehend that one of our shortcomings is that we really do not govern enough; that the people would rejoice to see greater government, more effective government; and I imagine that the two Departments in which and for which we are deservedly popular are the Irrigation Department and the Army Department. For both of those we are respected; both of those have done, and are doing, a great work. But in each case the work is not adequate; it is stopped in mid career. There is another evil which we met with, and which we still maintain—I mean the conscription. I am not one of those who object to all conscription on abstract and general grounds, far from it; but I think my noble Friend must know well from the facts that have come before him that the conscription in Egypt tells with a peculiar, and a special, and, I should say, an exceptional cruelty; and cannot as matter of argument, in its present form at least, be defended. And, lastly, you have the feeling spread far and wide through the country that there is no abiding confidence in our rule; by which I mean that there is no confidence in the permanency of our stay and of our administration. Then we come to ask, is this a matter of success or of failure? It is certainly not success—it is very far short of it. Now, what are the causes of that? Of course, there are many causes; but there are two which stand out above and beyond all others. The first is the lack of sufficient money; the second the sense of uncertainty pervading the whole country. All improvements in Egypt, as elsewhere, want money. A better system of taxation, a larger system of irrigation, better means of defence, a police force, an army—all these mean money; and what we need in order to obtain that money is a free hand in the management of Egyptian finance. But that is impossible, because then step in diplomatic considerations, foreign jealousies, and, as in a quite recent case, France forbids even the conversion of the debt. I know very well that in the course of a few years, I think it is in 1894, a certain part of the interest on the Canal shares falls in, and there will be a considerable saving, which of course will be applicable to Government purposes. But you have to wait five years for that; and even that amount, after all, is nothing very considerable. But I said there was another difficulty, and another drawback, which took from the complete success of our occupation of Egypt, and that is the uncertainty which pervades the whole of the Oriental mind, whether we are there for long—whether we may not flit like a shadow on the wall; and that I consider to be the greatest evil and the greatest difficulty of all; and for this we have in a certain measure to blame ourselves and our own conduct, because, if there has not been vacillation, there has at least been the semblance of vacillation. There has been the appearance of halting between two professions. On the one hand, we have declared repeatedly that we went to Egypt in order to restore prosperity and order: in the same breath we have said that we were anxious to go as soon

as we could get away. On the one hand, we declared that our object was to hold Egypt: in the same breath we have abandoned the outworks of Egypt in the Soudan, and we have reduced our troops till it almost seemed as if we were going to accept a mere corporal's guard. The result of all that is that the Egyptians and the Soudanese disbelieve very much our assertions; that the French place unfair constructions upon our conduct; and that Europe looks on half amused and half perplexed, and designates us as opportunists living from hand to mouth. But what is after all the real position? It is this—that we have assumed responsibilities larger than we can fulfil under existing conditions. We have given to Egypt only one-half of the benefits which our occupation should have tended to give her. Trade, which, after all, is the secret key to unlock success and prosperity, is blighted and comparatively checked. The Khedive, who, as an Oriental Sovereign, had power, is reduced in the eyes of the people to a mere shadow; and all this time we repeat, and repeat, and repeat over again our intention of going at the first opportunity. Now, I venture to think that, on reflection, your Lordships will see that there really are but five possible courses which are open, and I will venture to enumerate them. The first of these is evacuation. That would be a very poor end in the eyes of the country to all the labour and bloodshed and sacrifices that we have made; and there can be no doubt of this—that evacuation would mean anarchy, and must lead to early foreign intervention. Secondly, you may, as some persons desire, but which I should look upon as the worst solution of all, hand the country back again to Turkey. I am satisfied that neither the feeling nor the good sense of this country would tolerate such a proceeding. Every unfulfilled pledge on the part of the Turkish Government, every act of oppression, of misgovernment, of cruelty, would rise up against it, and the very stones of the Pyramids would cry out against it. You have Armenia at this moment declaring that the condition of things is intolerable; you have Crete in a state of semi-revolt; you have Macedonia seething; and, therefore, people who are idle enough to dream that Turkey could resume her authority in Egypt are living in such a cloudland that it is not worth while to discuss it. Thirdly, we may remain as we are, and drift along, repelling the different attacks which from time to time may be made—as on the recent occasion, sending troops whether convenient or inconvenient, hoping for the best, taking the risk. There are, no doubt, precedents for this, but they are not satisfactory precedents, and I do not think that that is a very good solution of the matter. Fourthly, we might remain as we are, but providing some defence for the Southern portions of the country, the outposts of Egypt. I believe that that can only be accomplished in two possible ways: either by securing a competent and reliable authority, semi-independent, to hold these outworks for you—such as Zebehr, or Emin, or some such person, and that was, after all, the ideal which I believe was mainly in Gordon's mind at the last as a practical solution—or by placing black garrisons, who, however, must be paid and must be officered by Englishmen, to hold the country for you. That, no doubt, is a better solution; it is a more adequate solution; but costly, and not without a good many difficulties. Fifthly, and lastly, you may announce to Europe that you intend to stay in Egypt for the present, and that you are not limited by times and seasons; that you will religiously respect the rights of the bondholders, but that you will administer the country upon your own principles and policy, and then govern the country as firmly, and substantially as wisely, as you have governed the best Provinces in India. That is a solution which is, undoubtedly, much the best for Egypt. It may present difficulties, possibly, so far as this country is concerned, but it is the boldest course, and it is the one to which at any time you may be reduced by a combination of diplomatic conditions. It means, no doubt, an increase of your Mediterranean Squadron, and an addition to your Army of some 4,000 or 5,000 men; but Egypt could pay that if she were willing; and geographically defensible as she is in a singularly high degree by the deserts that flank her on either side, the masters of the sea may easily be the masters of Egypt. My Lords, these are the alternatives. I do not believe that any other solutions exist than those which I

have mentioned. Willingly or unwillingly, one of these the Government must choose, and the time is drawing near when that choice must be distinctly and definitely expressed. I hope I have said nothing which will embarrass the Government. It has been far from my wish to do so. The question is one of the gravest moment; but I do think it desirable that before long some solution should be arrived at, and I believe it is equally desirable that the country should, in some degree at all events, understand the elements of the question.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, once or twice this Session I have had to regret that the only Member of the Front Opposition Bench (I say it without any incivility to him) whom I have had to confront was my noble Friend the noble Viscount opposite (Viscount Oxenbridge). I have no doubt he is a repository in the richest measure of all the experience and all the knowledge of the Government to which he belonged; but it is very difficult for me to enter upon matters of detail concerning the action of the late Government—I mean the Government which terminated in 1885—unless some of those who took part in that Government are present. When my noble Friend behind me talks of our failure or our success in Egypt, I think that as far as we are concerned we have a right to require this—that what we have done or that what has happened in our time shall be measured in respect to the circumstances which we found when we acceded to responsibility; and that we shall not be held to have failed because Egypt does not occupy an ideal position with respect to all the circumstances that have been examined by my noble Friend. In saying that, I have no wish to raise old controversies, or to hint any blame of those who went before me. But I only wish to insist upon this—that to ascertain the merits or demerits of Her Majesty's present Government you must simply compare the state of Egypt when we acceded to power with the state of Egypt as it is now, and not impute to us responsibility for any results which may have accrued from circumstances which happened before our time. It is very necessary to take this into consideration, because, whatever the causes were, there is no doubt that the task to which we succeeded was one of exceeding difficulty; and we have never imagined that the conditions existed which would have enabled us to bring Egypt within any measurable time to the high degree of prosperity and order which prevails in European countries. But I do not in the least admit that there has been any element of failure in what has been done. On the contrary, I think if my noble Friend examines carefully into the Reports which have been laid before the House, he will see that, not owing to any merit on the part of Her Majesty's Government (I do not in the least suggest that), but owing to the wise, careful, and statesmanlike management of the permanent servants of the Crown, and the English servants of the Khedive, who have carried on that great work of civilisation in that country, there has been a constant and steady progress, bringing peace and tranquillity to the country; bringing increased means of prosperity and openings for industry and commerce, abating the evils of misgovernment, of judicial abuse, and of disorder which existed before that time, and even abating that evil on which my noble Friend relies the most—namely, the evil of excessive taxation of the inhabitants. In all the matters which constitute the advance of a nation Egypt has made real progress under the temporary guardianship of England. My noble Friend has advanced nothing that could be called solid evidence to the contrary. His charges have been so vague that it is impossible to deal with them. He tells me that the assessment it still a grievous wrong. The circumstance that there has been any increase in the weight of the assessment has not come under my observation. I doubt it exceedingly. On the contrary, I believe the assessment has been steadily becoming lighter and more just in proportion as the cadastral survey has been carried out, and the re-partition of burdens has become more equal. I freely admit that the financial state of Egypt is not everything that we could desire. The burdens are heavier than we should wish the people to bear, and that for the simple reason that the Governments of Egypt that existed before our time have so squandered the resources of the people that one-half of the revenues of Egypt goes to pay the interest on her debt. That is the

burden with which Egypt starts in the financial race, and as long as that burden weighs on her it is impossible to say that her financial condition at all approaches to the ideal. But I did not hear from my noble Friend any suggestion of a possible remedy for that evil. He seemed to intimate that it was the business of this country, in some way or other, to get rid of the debt. I hope I do not do him wrong, but I thought I just traced a suggestion that a simple way of getting rid of the debt was not to pay it.

THE EARL OF CARNARVON: I must interrupt my noble Friend. Such an extraordinary perversion of words I never heard. I am afraid the noble Marquess was slumbering on the Treasury Bench if he ever supposed that I advocated for one moment passing the sponge over the solemn obligations that have been incurred. I content myself with a simple denial of the fact.

THE MARQUESS OF SALISBURY: I am exceedingly glad to have drawn that denial from my noble Friend, and I have not the slightest doubt that I misunderstood him; but he did not indicate in what possible way financial prosperity could be restored to a people which begins by having to pay away half its revenue as interest for its debt. It is obvious that the burden is one that must weigh upon it most heavily. I am not therefore able to admit in any degree the suggestion of my noble Friend that the guardianship of this country over Egypt has been otherwise than beneficial to it. For that we have not attained such a measure of success as we had a right to expect. I need not go further and say that the withdrawal of that guardianship would be a great evil to Egypt, for in that I understand that I carry my noble Friend with me; but when he goes beyond the criticism of the past or the examination of the present condition of Egypt and the effect of the measures which this country has sanctioned or encouraged, and asks us to penetrate into the future and say what the future relations of this country and Egypt are to be, I must respectfully ask the House to allow me to decline to follow him. It is very burning ground indeed. We have again and again explained what, in our judgment, are the obligations which bind us to Egypt and which we have intended to fulfil; and when my noble Friend says there has been vacillation, or the semblance of vacillation, I again cannot admit that the charge is sustained by any evidence or any particulars. If my noble Friend will do me the honour to refer to the account which I gave four years ago of the policy which the then in-coming Government thought it their duty to pursue with respect to Egypt, and the circumstances in which Egypt found herself, I think he will find we have not deviated by a hair's breadth from the line which we then laid down. I need not repeat what I have often expressed — namely, the obligations which we feel bound in honour to fulfil before we withdraw from the guardianship of Egypt. But when my noble Friend asks us to go beyond that and to convert ourselves from guardians into proprietors, and to say that, in despite of all that we have said and that our predecessors have said, we will, under the circumstances and conditions as they are now, declare our stay in Egypt permanent and our relation to Egypt that of a conquering country to a conquered, I must say I think my noble Friend pays an insufficient regard to the sanctity of the obligations which the Government of the Queen have undertaken and by which they are bound to abide. In such a matter we have not to consider what is the most convenient or what is the most profitable course; we have to consider the course to which we are bound by our own obligations and by European law. We shall try to observe that rule faithfully. Undoubtedly we have no intention of abandoning our task until it is fulfilled; but we have no authority or right to give it the extension which my noble Friend demands.

LORD HERSCHELL: My Lords, I do not of course intend to enter at all into the general discussion raised by the noble Earl opposite; but with reference to the allusion that has been made to the reforms which have taken place in Egypt in recent years, there is one matter upon which I should like to say a word or two. Having been in that country not long ago, I made it my duty to inquire, as far as I could, into what was being done with reference to a reform in the judicial system, and the administration of the law. Your Lordships will be aware how very far Egypt was behind, according to our European

notions, in its judicial system, and its method of administering the law. I satisfied myself that in this most important particular there had been a real and substantial improvement during the last few years. I do not mean to say that at the present time in this respect Egypt is on a level with European nations, or has completely achieved the object which those who entered upon these reforms had in view; but I was satisfied, from the conversation which I had with the Prime Minister in Egypt, that he held upon this subject thoroughly enlightened views, that he was profoundly impressed with the necessity of further reforms, and that he was most anxious to bring them to as speedy an accomplishment as possible. Your Lordships will easily imagine that the task of law reform in a country like Egypt is not likely to be an easy one. Even in this country, with all our reforming tendencies, and when reforms have been most in the air, the path of the legal reformer has been generally a somewhat thorny one; and law reforms have never moved very rapidly apace. But in the East the difficulties, of course, are considerably greater. I have thought it right to bear my testimony to the fact that I believe a real endeavour is being made, and has, to some extent, already successfully been made, in this direction, and I have every hope that the progress will be continued still further.

ECCLESIASTICAL BUSINESS FEES.

EARL BEAUCHAMP: Your Lordships may remember that in May I moved for a Return which was in continuation of part of the information contained in a Return presented to the House in 1870. It has been found more convenient to obtain the continuation of the whole of that Return rather than a certain part of it, and I therefore move your Lordships to substitute the Return of which I have given notice for that which was ordered on the 21st of May last.

THE SECRETARY OF STATE FOR INDIA (Viscount CROSS): I have been requested by my noble Friend to say that there is no objection whatever to a Return in the amended form.

ECCLESIASTICAL OFFICES.

Order of 23rd May last, for Return respecting, discharged.

ECCLESIASTICAL BUSINESS FEES.

"Return from every archbishop and bishop holding a see in England or Wales of the names, residence, profession or occupation, and, if a clergyman, the preferment, of every secretary, apparitor, seal keeper, or other officer employed by them in the transaction of ecclesiastical business, stating the scale of fees charged by such officers, with the total amount of fees received by each of such officers for his own use during each year from 1870 to 1888, both included, and the nature of the duties performed by each officer respectively for such fees.

Return from every ecclesiastical registry in England and Wales, stating the fees payable to each archbishop (if any), bishop (if any), vicar-general, chancellor, commissary, official, master of the faculties, or other ecclesiastical judge, whether acting in person or by deputy, surrogate, registrar, deputy-registrar, or other officer, for the transaction of ecclesiastical business in Court or out of Court, stating the amount of fees that have been received in respect of each class of document or business transacted during each year from 1870 to 1888, both included, stating to whom such fees or proportions of such fees have been paid, and the duties performed by each officer respectively for such fees.

Likewise, the amount of the fee charged for a marriage license exclusive of stamps, also of the number of marriage licenses issued in each year from 1870 to 1888, both included, with the total amount of fees paid into the registry for marriage licenses, exclusive of stamps, in each of those years, stating to what officer such fees have been paid, and the amount received by each of such officers, and the duties performed by each officer respectively for such fees [in continuation of Return (185), 1870]."

Address for (*Earl Beauchamp.*)

THE ALDERSHOT REVIEW.

QUESTION.—OBSERVATIONS.

LORD BRAYE, in rising to ask whether it was true that, owing to the concealed inequalities of the ground selected, several casualties from falls occurred among the troops reviewed last Wednesday at Aldershot, two of which were reported to have been of a very serious nature; and whether, in the event of a future review of such magnitude, it was contemplated that some less broken ground should be chosen for the purpose, said: My Lords, we learn from the ordinary channels of information that last Wednesday, at the great review at Aldershot, some accidents occurred of a very serious nature: one man broke

his thigh, another broke his leg and his arm, and there were several other accidents of a minor character. I hope that either these reports are not true, or at least that they are exaggerated; and the most satisfactory answer which I could receive from the noble Lord opposite would be a simple negative. If, on the other hand, they are true, and if it appear that they were entirely owing to the unevenness of the ground in that locality at Fox Hill—to the fact that there are so many concealed pitfalls covered with heather, and rows of disused ruts—if that, as I believe, is the case, it will be satisfactory to learn if the Authorities have taken into consideration the changing of the site for a review of such great importance and magnitude as that which took place last Wednesday in the presence of the German Emperor. There is the whole of England to chose from for such a review, because these reviews are not very frequent, and troops could be amassed at other localities. If the physical difficulties which exist at Aldershot cannot be overcome, and I believe they cannot, it will be satisfactory to learn that the Authorities of the War Office are taking the matter into consideration. These, my Lords, are the reasons why I venture to put the question which stands in my name.

THE UNDER SECRETARY OF STATE FOR WAR (Lord HARRIS): I regret to say that there were four accidents at the manœuvres on Wednesday last, one of them of a serious nature, being, as the noble Lord said, a fracture. That and another arose from the upsetting of a gun. The second man who was injured is progressing favourably. The other two cases arose from horses falling; one man is progressing favourably and the other has returned to duty. I have no official information as to whether those accidents were due to the concealed inequalities of the ground, or to any carelessness on the part of the men themselves. In any case, I am distinctly of opinion that the Military Authorities will be unable to forego the advantages to be derived from training troops on uneven ground, which accustoms them to take advantage of the cover afforded by its inequalities.

Lord Brage

LUNACY ACTS AMENDMENT BILL
(No. 109.)

Returned from the Commons with the Amendments made by the Lords to the Amendments made by the Commons, and the Lords consequential Amendment, agreed to, and with the Amendments made by the Commons to which the Lords have disagreed not insisted on.

OFFICIAL SECRETS BILL (No. 112.)

Reported from the Standing Committee for Bills relating to Law, &c., with Amendments: The Report thereof received; and Bill re-committed to a Committee of the Whole House on Thursday next.

BUSINESS OF THE HOUSE.

Moved, "That this House at its rising To-day do adjourn to Thursday next;" agreed to.—(*The Marquess of Salisbury*).

PAYMASTER GENERAL BILL. (No. 208.)

House in Committee (according to order): An Amendment made: The Report thereof to be received on Thursday next.

REVENUE BILL (No. 209)

House in Committee (according to order); Bill reported without Amendment; and to be read 3ª on Thursday next.

MERCHANT SHIPPING ACTS AMENDMENT BILL (No. 191.)

UNIVERSITIES (SCOTLAND) BILL
(No. 204.)

Read 3ª (according to order), with the Amendments, and passed, and sent to the Commons.

House adjourned at half past Five o'clock, till Thursday next, a quarter past Four o'clock.

HOUSE OF COMMONS,

Monday, 12th August, 1889.

MESSAGE FROM THE LORDS.

That they have agreed to—Prince of Wales's Children Bill, Judicial Factors (Scotland) Bill, Intermediate Education (Wales) Bill, without Amendment; Amendments to Factors Bill [Lords], with Amendments.

ROYAL ASSENT.

Message to attend the Lords Commissioners;—

The House went;—and being returned;—

Mr. SPEAKER reported the Royal Assent to a number of Bills. [See page 993.]

QUESTIONS.

IRELAND—THE LIMAVADY SAVINGS BANK.

MR. JUSTIN M'CARTHY (Londonderry): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has heard any complaints as to the management of the Limavady Savings Bank, to the effect that moneys are paid out sometimes without authority from those whose names are registered as the depositors, and that moneys are lodged in the names of persons without their knowledge, with the object of enabling individuals to have large sums of money in the bank and at their disposal under various names; and, whether he will order some inquiry to be made?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): No complaints have reached me in regard to the management of the Limavady Savings Bank, nor is the matter one which would come under the cognizance of the Irish Government. The Commissioners of the National Debt are the controlling authority in the case of Trustee Savings Banks. The Treasury presumably answer for the Commissioners in this House.

LONDONDERRY GAOL.

MR. JUSTIN M'CARTHY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, during May last, or at any other time, Mr. P. J. J. Joyce, of the Irish Prisons Board, gave directions to the Governor of the Derry Gaol to have the prison chaplains watched, and to note what class of prisoners they especially visited, and if they visited Father Stephens, Mr. M'Hugh, and Mr. Kelly oftener than the other prisoners; and, if they did so, to remonstrate with them; and, whether it is within the sphere of Mr. Joyce's duties to give directions to the Governor of Derry Goal to have a watch set upon the prison chaplains?

MR. A. J. BALFOUR: This question has been already substantially answered in the reply given to a question on the same subject put by the hon. Member on 30th May last. The general instructions of the Prisons Board in the matter were conveyed to the Governors of Prisons through the several Inspectors of the Board.

THE LAND ACT, 1887.

MR. FLYNN (Cork, N.): I beg to ask the Chief Secretary for Ireland whether he is aware that the applications of many tenants, leaseholders, to have fair rents fixed under "The Land Act, 1887, have been dismissed on the technical point that they had not administration taken out; and that a large number of such tenants, whose cases have recently been listed, will be too late to receive the benefits of the Act; and, whether he will bring in a short Act to remedy this defect, and to extend the time in which leaseholders can enter Court, and to extend the time for taking out administration to all whose cases are listed before the 22nd instant?

MR. A. J. BALFOUR: The Land Commissioners report that if at the hearing of an application to fix a fair rent it is found that the applicant has not perfected his title as tenant by failure to take out administration to the former tenant the case is not dismissed, but adjourned in order to enable administration to be taken out. The case is in no way prejudiced thereby, inasmuch as the application having been filed, the case is one pending under the Act of 1887, and can be listed for hearing at

any time when the tenant has perfected his title. No necessity exists for the suggested legislation.

EMIGRATION TO THE ARGENTINE REPUBLIC.

MR. T. M. HEALY (Longford, N.): I beg to ask the Under Secretary of State for Foreign Affairs whether he will lay upon the Table the Correspondence with the Government of the Argentine Republic relative to the loss brought upon many hundreds of Irish families by the repeated failure of the Republic to keep their engagements for the transport of intending emigrants; and, do Her Majesty's Government intend to exact compensation for the ruin brought upon so many British subjects through the misrepresentation of the agents of a Foreign State; and, if not, will the Government consider the advisability of making it a penal offence for Foreign agents to entice emigrants abroad by false promises?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): There will be no objection to lay upon the Table the Correspondence respecting British and Irish Emigration to the Argentine Republic, if the hon. and learned Member will move for it. In so saying I ought to state that the Papers do not show any failure on the part of the Argentine Government to fulfil their engagements. It is true that unsuitable persons have been induced to emigrate to that country, and some hardship has been caused by the unpunctual arrival of steam vessels to embark emigrants. If any case were brought to the notice of Her Majesty's Government in which persons in this country had been deceived or defrauded it would be duly considered, and any action taken that appeared to be required.

MR. T. M. HEALY: Did not the right hon. Baronet receive a letter from me showing that there were something like 2,000 persons whose emigration had been delayed for some months after they had broken up their homes and sold off all their goods and chattels?

*SIR J. FERGUSSON: Inquiries are being made as to the cases which the hon. Member brought under my notice; but it is not one of the cases referred to in the Correspondence with the Argentine Republic.

MR. T. M. HEALY: If the Correspondence has not yet come to a conclusion it will not be necessary to move for the production of it.

*SIR J. FERGUSSON: The Correspondence is not yet concluded.

MR. T. M. HEALY: Will the right Gentleman be good enough to lay the Correspondence on the Table as soon as it is concluded?

*SIR J. FERGUSSON: I will inform the hon. Gentleman when the Correspondence is finished.

MALTA—DISTURBANCE AT ROBATO—CONDUCT OF THE MILITARY.

MR. BRADLAUGH (Northampton): I beg to ask the Secretary of State for War whether his attention has been called to a leading article in the *Malta* of 18th July, making exceedingly grave charges against English troops just arrived at Robato; and whether he can give the House any information as to the truth or otherwise of such charges?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I have not heard of this affair until the hon. Member drew my attention to it. In reply to a question from me, the Governor of Malta has telegraphed:—"Newspaper reports of disturbance at Rabato a gross and malicious exaggeration."

IRELAND—THE PONSONBY ESTATE.

MR. FLYNN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that 150 ejectment decrees have been issued at the last Cork Quarter Sessions against the tenantry of the Ponsonby estate, near Youghal, and that the eviction of a large number of families is threatened for a near day; and, in view of the fact that a large number of tenants were evicted in 1887, that, in March 1888, 57 eviction notices, under the seventh section of the Land Act 1887, were served on the tenants, and that Mr. Horace Townsend, the agent, has stated, in a letter recently made public, that the rents of many of the holdings are 40 per cent too high, will the Government authorise the employment of the forces of the Crown for the purpose of carrying out those evictions. I have also to ask the Chief Secretary if he is aware that on the 17th ultimo Mr. D. B. Sullivan, Q.C., on behalf of the

tenants, offered Mr. Ponsonby, the landlord, in public Court, to leave the fixing of fair rents to the County Court Judge, and to leave the other questions (arrears and re-instatement of tenants) to arbitration; and, in view of the threatened evictions on this estate, will he use his influence to effect an arrangement, so as to obviate the necessity for evictions on a large scale?

MR. A. J. BALFOUR: I understand that 49 ejectment decrees were obtained at the last Fermoy Quarter Sessions and some 90 others at the Wicklow Assizes against tenants on the Ponsonby estate. I understand that a letter has been published purporting to be a copy of one written by Mr. Horace Townsend, in which he expresses the opinion that on a particular portion of the Ponsonby estate acreable reductions might be made by the Land Commission from £1 per acre to 12s. or 13s. I am, however, informed, in the first place, that Mr. Townsend only saw a portion of the estate, and that the average rental of that portion was not £1 per acre, as Mr. Townsend appeared to have supposed, but was under 15s. per acre. If the terms offered by the landlord of 20 per cent reduction had been accepted it would have reduced these rents to a sum less than that which Mr. Townsend is reported to have said might be settled by the Land Commission. Mr. Ponsonby has offered to leave the fixing of the fair rents to the Land Commission, and to reduce the arrears in each case by whatever reduction might be made by them in the rents, and it would seem that no fairer offer could be made by any landlord.

MR. FLYNN: Is the right hon. Gentleman aware that, in the letter in question, Mr. Townsend states that he considers the agent should have given a larger allowance than 20 per cent; and, whether, in view of the strong statements contained in that letter, some representations ought not to be made which would have the effect of delaying the threatened evictions?

MR. A. J. BALFOUR: Mr. Townsend seems only to have gone over a small portion of the estate, and he appears to have been mistaken as to what the rent of that portion was.

EXCISE DUTY IN INDIA.

MR. CAINE (Barrow): I beg to ask the Under Secretary of State for India if it is true that Messrs. Leishman and Company, of the Castle Brewery, Coonoor, pay an Excise Duty of three rupees six annas per hogshead on all the beers they manufacture; and, if so, why are they treated so exceptionally to all other brewers in India, who are stated by him to be untaxed?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir JOHN GORST, Chatham): The reply given by me on June 21st, to the effect that beer was not taxed in India, was too general. There is an Excise Duty on beer in the Province of Madras.

ASSAULT AT DINGWALL.

DR. M'DONALD (Ross and Cromarty): I beg to ask the Lord Advocate whether his attention has been directed to the trial of James Stewart (gamekeeper to Sir John Fowler, of Braemore), before Sheriff Hill, at Dingwall, last week, for an assault on Rose, the skipper of a herring boat at Loch Troon, while the latter was engaged in hauling in his herring nets; whether the said Stewart was liberated without bail after emitting a declaration; and whether the prosecutor, the Procurator Fiscal, made any objection to his liberation, although he was committed for trial?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): The hon. Member has been misinformed as to this matter. There has been no trial. A charge was lodged against Stewart by Rose, and a countercharge by Stewart against Rose. These charges are now being investigated. Stewart was liberated with the consent of the Procurator Fiscal. This is quite usual in the case of law-abiding persons where the charge is not of a very serious kind.

BOARD OF TRADE—CONTRACTS—THE BULL ROCK LIGHTHOUSE.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the President of the Board of Trade whether the lenses supplied to the Commissioners of Irish Lights for the Bull Rock Lighthouse by Messrs. Chance, by direction of the Board of Trade, at a price higher by £150 than that of Mr. Wigham's

tender for Messrs. Barbier and Company, have been found faulty by the Commissioners of Irish Lights and their scientific adviser, Sir Robert Ball, F.R.S., and some of them returned as imperfect; whether any complaint of a similar kind has ever been made respecting Messrs. Barbier's lenses, which have been supplied for many years to the Commissioners of Irish Lights; why the officials of the Harbour Department compelled the Commissioners of Irish Lights to purchase these inferior lenses from Messrs. Chance, at a higher price than those of better quality; whether notwithstanding this higher price and inferior quality, similar lenses have subsequently been ordered from Messrs. Chance for two important lighthouses in the South of England by the Trinity House, with the sanction of the Board of Trade; whether in the case of these two lighthouses tenders by public competition were sought; and, if so, whether Messrs. Chance's was the lowest tender or whether, as on the previous occasion, it was higher than the competing tenders; and whether the Harbour Department of the Board of Trade took any pains to have these lenses compared before delivery, as to quality and perfection of manufacture, with lenses of Messrs. Barbier's make and unimpeached quality recently erected at Tory Island Lighthouse and other places in Ireland; and, if so, what were the steps they took to have this comparison made?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): As regards the lenses supplied by Messrs. Chance for the Bull Rock Lighthouse, the Commissioners have informed the Board that portions of the lenses, when first supplied by Messrs. Chance, were found faulty and returned. They were subsequently replaced satisfactorily, and the following report upon the present state of the apparatus has been made to the Commissioners by their scientific adviser, Sir Robert Ball, F.R.S.:—

"I was glad to notice that the defective portions of the glass, to which I had taken exception when I examined the lenses at Kingstown, had been satisfactorily replaced by glass which was free from objectionable striæ. I was particularly struck with the solid and massive character of the apparatus, which is a splendid piece of workmanship."

No complaints have ever been made of Messrs. Barbier and Fenestre's lenses by the Irish Lights Commissioners. The grounds on which Messrs. Chance's tender for the Bull lenses was sanctioned by the Board of Trade in preference to that of Messrs. Barbier and Fenestre were fully stated in my reply to a question asked by the hon. Member on the 27th of February, 1888. With regard to Round Island and Bishop Rock, which it is presumed are the two lighthouses in the South of England referred to, the Board are informed by the Elder Brethren of the Trinity House that the lenses for these lighthouses were obtained from Messrs. Chance under a three years' contract in force at the time of their supply. There was, therefore, no public competition for the supply of those instruments. As regards the alleged higher prices of Messrs. Chance, the Elder Brethren were satisfied at the time of entering into the contract that the rates as then settled were rather lower than the French official tariff, and as regards quality they have both at that time and in subsequent reports the positive assurance of their engineer that the lenses supplied are at least not inferior to those supplied by French manufacturers. Each instrument is examined before delivery, and any portions not approved are rejected and replaced before it is passed as satisfactory.

THE POSTMASTER OF KNOCKANEY.

MR. WILLIAM ABRAHAM (Limerick, W.): I beg to ask the Postmaster General if, previous to appointing Mr. Cleary Postmaster at Knockaney, County Limerick, he was aware that this man was brought before the Magistrates at Bruff on a charge of assaulting a child nine years old, and was bound over to keep the peace for 12 months; and, whether, in view of this fact, Cleary will be allowed to hold the position of Postmaster, of which Mr. Guerin was lately deprived for being a member of National League?

*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): I am having inquiry made into the circumstances brought under my notice by the hon. Member, and until I receive a Report from Ireland on the subject I am unable to express an opinion as to the action, if any, which I may think it necessary to take. I

had, of course, no knowledge of any such circumstances as those alleged by the hon. Member when the appointment was made.

METROPOLITAN COLLECTORS OF INLAND REVENUE.

SIR GEORGE BADEN POWELL (Liverpool, Kirkdale): I beg to ask the Secretary of the Treasury whether it has been decided to merge much of the work of the Metropolitan collectors of Inland Revenue in the office of the Receiver General; whether the Receiver General placed before the Royal Commission on Civil Establishments a scheme to effect this object, at a saving of £10,000 per annum; and, whether the Inland Revenue Board suggested an alternative scheme, which involved a saving of only £800 a year; and, whether the former or the latter scheme is the one that is to be put in force?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): In reply to my hon. Friend, I have to say that no decision has yet been arrived at.

THE DORCHESTER SAVINGS BANK.

MR. HOWELL (Bethnal Green, N.E.): I beg to ask the Chancellor of the Exchequer whether he will inform the House the total amount of the frauds at the Dorchester Savings Bank; the total amount of the separate surplus fund when the trustees decided to close the bank; and, whether any sums have been granted by the National Debt Commissioners to aid the trustees in making good the frauds, first, from the separate surplus fund, and, secondly, from the credit balance on the current account; also whether his attention has been called to the fact that the actuary of the Dorchester Savings Bank, from 1881 to 1888, wilfully and knowingly concocted false balance sheets, in order to conceal the frauds of his predecessor; and that these false Returns were annually presented to this House; whether any steps are being taken to punish this actuary for such false Returns; and the reason why a public inquiry has not been instituted under the Act of 1887?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The balance on the general account of the Dorchester Savings Bank on the 18th of January, 1889, the date when notice of the intention of the trustees to close the bank was notified to the National Debt Commissioners, was £45,309 16s. 4d. The balance of the separate surplus fund at the same date was £2,356 16s. 2d. On the 10th instant the balance on the general account was £367 5s. 10d., and that of the separate surplus fund the same as before mentioned — namely, £2,356 16s. 2d. The National Debt Commissioners, with the concurrence of the Treasury, have informed the trustees that they will be prepared to allow the separate surplus to be applied towards payment of the depositors' claims upon condition of the trustees and managers entering into an undertaking to make good any balance of deficiency which may remain after payment of the separate surplus money. The Commissioners, at the same time, informed the trustees that they formally reserve any rights which they may possess to recover the amount of separate surplus advanced in the event of personal liability for the losses of the bank being eventually brought home to the trustees and managers, or any of them. A formal undertaking to the effect required by the Commissioners has been subscribed by a majority of the trustees and managers. In reply to the second question of the hon. Member, I have to say that the conduct of the actuary in returning false balance sheets was no doubt highly reprehensible, but as his object in doing so was to conceal and gradually make good the defalcations of a former actuary who was his relation, and as during the six years that he has been actuary he has reduced the deficiency to some extent, and has been guiltless of any defalcation himself, it seemed a harsh course to prosecute him. The question of a public inquiry under the Act of 1887 is still under consideration. But I am bound to point out to the hon. Member that such inquiries are very costly, and that unless it seems likely that an inquiry will reveal fresh facts of importance with regard to the particular bank, or add to the large stock of information as to the position of the trustee banks in general, which has already been brought to light by the Cardiff and Macclesfield inquiries, the Treasury would hardly be justified

in sanctioning so great an expenditure of public money.

MR. HOWELL: Have not numerous facts come under the right hon. Gentleman's notice, and the notice of the House, in which these false entries have been made, and yet the National Debt Commissioners have taken no notice of them?

MR. GOSCHEN: As the hon. Gentleman is aware, a Committee sat upon this very subject, and the Commissioners are studying the Report of the Committee. I entirely appreciate the importance of the question, and the hon. Member will see that the Commissioners have pushed the inquiries with regard to the Cardiff and Macclesfield cases with every desire to bring every possible fact to light.

MR. BRADLAUGH: I hope the right hon. Gentleman will not forget that in the Macclesfield case the Report specially pointed to one offender who is in the Commission of the Peace.

WESTERN AUSTRALIA.

MR. CHANNING (Northampton, E.): I beg to ask the Under Secretary of State for the Colonies whether an appointment has been made of the successor to Sir F. Napier Broome in the Governorship of Western Australia; and, if not, when such an appointment will be made?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): The name of the proposed successor to Sir F. Napier Broome has not yet been submitted to the Queen; but it is intended that the appointment shall be made very shortly.

MR. T. M. HEALY: Is the statement true that the Colony of West Australia, in order to prevent English or Irish barristers emigrating into the Colony, have passed a law requiring six months' residence before they can appear in Court in any case; does this law prevail in any other Australian Colony; and, will care be taken, before the West Australian Bill is passed, to make it impossible to prevent this discrimination against incoming professional men by the older immigrants?

BARON H. DE WORMS: By a Colonial Act of 1886, which has received the Queen's assent, no person can be admitted as a barrister or solicitor unless he has resided in the Colony of Western Australia for not less than six months. In South Australia previous residence for 12 months is required, but may be dispensed with by the Court. I may add that in Prince Edward Island and British Columbia 12 months' residence is a condition for admission. As to the last paragraph of the question, this period of six months' residence is required in the case of all applicants for admission to the Bar, whatever place they may come from, and Her Majesty's Government see nothing unreasonable in the condition, which, it may be added, is less onerous than the requirements of the legal authorities in the United Kingdom before admitting colonial barristers to practise.

MR. O. V. MORGAN (Battersea): Is it a fact that barristers from the British colonies are not allowed to practise in this country until they have completed a residence of three years; and, if so, will the Government take the necessary steps to remedy this grievance?

BARON H. DE WORMS: I believe the hon. Member is correct with regard to the term of residence required. I apprehend that any change in the existing system would necessitate legislation.

MR. G. O. MORGAN (Denbighshire): Is it not the case that a dispensation is constantly granted?

BARON H. DE WORMS: Yes, I believe that is so.

MR. T. M. HEALY: Is it an educational or a residential test that is required?

BARON H. DE WORMS: I believe that in some cases an examination is required, but in all cases a residential qualification is required.

MR. T. M. HEALY: I beg to give notice that I will oppose the Western Australia Bill when it comes before the House.

MEDICAL PENSIONS.

MR. PINKERTON (Galway): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if a pension can be legally granted to an officer, under the Medical Charities Acts, on any other grounds than advanced age, length of service, physical or mental incapacity; and, if a doctor who has received a re-

tiring allowance for any of the above reasons, is still entitled to hold another medical appointment in the same Poor Law Union?

MR. A. J. BALFOUR: The ground upon which a superannuation allowance may be granted by the Guardians of a Union to an officer appointed under the Medical Charities Acts are permanent infirmity of body or mind or old age. The Local Government Board have been advised, in reference to a case which came before them, that there was no legal obstacle to a retiring allowance being granted to a medical officer in respect of an office under the Medical Charities Acts, although he might continue to hold another and distinct appointment under the Poor Law Acts, but the circumstances which could ever give substantial justification for such a proceeding must obviously be very exceptional.

THE MARITIME CONFERENCE.

MR. CHANNING: I beg to ask the Under Secretary of State for Foreign Affairs which of the 13 general divisions of the programme (for the Maritime Conference) proposed by the American delegates have been objected to by Her Majesty's Government; and, whether an arrangement has now been arrived at; and, if so, what are the subjects which are finally agreed upon for discussion at the Conference?

*SIR J. FERGUSSON: I am sorry that I cannot give the hon. Gentleman any further information on this subject at present, as we are awaiting a reply from the Government of the United States to a communication which has been addressed to them.

MR. CHANNING: Is the reply likely to be received before the rising of Parliament?

*SIR J. FERGUSSON: Yes; I think so.

THE CRIMINAL LAW PROCEDURE (IRELAND) ACT.

MR. O'DOHERTY (Donegal, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the directions given under the 14th section of the Criminal Law and Procedure (Ireland) Act by the Lord Lieutenant of Ireland (and the Treasury Minute thereon) with respect to defence of persons charged under the said Act which can now be seen by Members of the House in the Library, provide for the case of prisoners, like the Gweedore prisoners, obliged to retain and keep on special retainer, in a strange circuit, the counsel and solicitors engaged and instructed by persons charged in their own country; if not, will he see that special directions are given to make such provision?

MR. A. J. BALFOUR: The arrangements made under the 14th section of the Criminal Law and Procedure (Ireland) Act have not been published, but are embodied in Treasury letters. Provision is made for all change of venue cases, including a strange circuit. The fees are fixed with the approval of the Treasury with reference to the nature of the prosecution.

DENBIGHSHIRE CHARITIES.

MR. THOMAS ELLIS (Merionethshire): I beg to ask the hon. Member for the Penrith Division (Mr. J. W. Lowther) whether the inquiry into the charities of Denbighshire, instituted last October by the Charity Commissioners, is yet completed; and, if so, how soon the Report will be issued; and whether, in view of the uselessness of the Return ordered by this House on 19th June, relative to the endowments available for the purposes of the Intermediate and Technical Education (Wales) Act, an investigation will be made by the Charity Commissioners without delay into the charities of the different Welsh counties, so as to enable the joint Education Committees to frame schemes under the Act?

MR. J. W. LOWTHER (Cumberland, Penrith): The inquiry into the charities of Denbighshire has been completed in 48 out of the 66 parishes of Denbighshire. It is expected that the inquiry will be completed in every parish of Denbighshire before the end of November. The Charity Commissioners have not at present been furnished by the Treasury with the requisite authority for the expenditure necessary for similar inquiries in other counties. They understand that the Treasury desire to consider the Report upon the charities of Denbighshire before authorising further expenditure.

MR. T. ELLIS: In that case is the Act to remain in suspension until the

Treasury gives its consent in order to enable the Act to be set in motion?

MR. J. W. LOWTHER: I think the hon. Member had better address that question to the Secretary to the Treasury. The Charity Commissioners are prepared to go on with the work the moment they obtain the necessary authorisation.

THE JOINT EDUCATION COMMITTEES.

MR. THOMAS ELLIS: I beg to ask the Vice President of the Committee of Council on Education whether the names of the persons to be nominated by the Lord President of the Council on the Joint Education Committees, under the Intermediate and Technical Education (Wales) Act, will be published on or before 1st November, the date of the commencement of the Act?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): So soon as the Act comes into operation the County Councils will, I presume, proceed to nominate members to form part of the Joint Education Committees, and I apprehend that the Lord President will be prepared to make his nominations coincide in point of time as much as possible.

IRELAND—PRISON TREATMENT OF MR. CONYBEARE.

MR. MAC NEILL (Donegal, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state upon what grounds Mr. Conybeare was deprived by the authorities of Derry Gaol, on Thursday last, of the privilege of reading the newspapers?

*MR. A. J. BALFOUR: The General Prisons Board report that the Visiting Justices of Londonderry Prison have withdrawn for one week the privilege which they had granted to Mr. Conybeare to receive newspapers, he having misconducted himself by shouting from the window of his place of confinement on the occasion of the discharge of a number of prisoners.

MR. MAC NEILL: Was not the occasion the discharge of the Falcarragh prisoners, and is it a fact that one of the prisoners who was discharged in a dying state actually died on the following day?

MR. A. J. BALFOUR: The question may be an important and proper one in itself, but it is not a question which arises out of the question on the Paper. I believe that notice has been given of a question by another hon. Gentleman on the subject.

POSTAL FACILITIES IN BOFFIN AND SHARK.

MR. FOLEY (Galway, Connemara): I beg to ask the Postmaster General whether it is his intention, after repeated applications on behalf of the inhabitants of the islands of Boffin and Shark, to give them increased postal facilities in lieu of the present tri-weekly service in summer and bi-weekly service in winter, that some encouragement may be given to the promotion and extension of the fishing industry of those islands?

*MR. RAIKES: I have carefully considered the application to which the hon. Member refers, and I should have been glad, if possible, to comply with it; but I find that even now the postal service to Innisboffin is conducted at a loss to the Revenue. To increase the frequency of the service as desired would augment the loss already incurred, and I regret that, in the circumstances, I do not feel justified in acceding to the wishes of the Memorialists.

USIBEPU.

MR. THOMAS ELLIS: I beg to ask the Under Secretary of State for the Colonies whether the boundaries of Usibepu's location, as laid down by Mr. Addison, R.M., and subsequently altered by Mr. Knight, R.M., and referred to in Colonial Blue Book, C. 5522, page 70 (Inclosure in No. 49), have been finally confirmed; and whether the boundaries laid down by Mr. Knight, R.M., for Usibequ's location include territory to which Ndabuko, Msutywana, Mbopa, and other Usutu Chiefs belonged, and which territory was recognised as the tribal lands of these chiefs and headmen both by Her Majesty's Government and by Usibepu in or about January, 1883?

BARON H. DE WORMS: The answer to the first question is in the negative. Owing to the subsequent events in Zululand, and to the fact that Usibepu is not now in the exercise of his functions as a Chief, the Secretary of State has not taken any action subsequent to his despatch of the 2nd of August, 1888 (No. 57, page 95, in Blue Book (5522). As to the second question, the answer is that nothing very definite was settled in

1883, and that it is difficult to settle these boundary disputes among the different Chiefs; but no final decision will be come to until full information has been received as to the deviations in the lines of Usibepu's location, as settled at different times, and any dispute will be disposed of as far as possible with strict regard to the accepted principle that Usutus should not be placed under the tribal authority of chiefs opposed to Usutus, and *vice versâ*.

THE COLLISION AT KEITH JUNCTION.

MR. CHANNING: I beg to ask the President of the Board of Trade whether he has considered the Report of Major Marindin, on the collision at Keith Junction on 17th June, from which it appears that the collision occurred owing to the points being worked by hand instead of being interlocked with the signals; that in 1884 the same Inspector of the Board recommended that this station should be remodelled and re-signalled; that last year a similar collision occurred to a Great North of Scotland train at the same station; that the cross over road and other additions at this station were carried out without submitting the alterations for inspection by the Board of Trade; whether the making of these alterations without obtaining the authorisation of the Board of Trade rendered the Company liable to penalties under "The Regulation of Railways Act, 1842," as extended by the Act of 1871; and what steps will be taken to bring this state of things to an end?

*SIR M. HICKS BEACH: I have considered the Report of Major Marindin on the collision at Keith Junction on June 17. After the accident of last year the attention of the company was called to their omission to report alterations for inspection, and they assured the Board of Trade that they would take care in future that when any alterations are made the Board of Trade shall be advised as required by the Act. They have also been called upon to submit for inspection all places where the permanent way or works have been altered or extended since the passing of the Act of 1871. The action of the company in this matter appears to me to afford additional reason for the passing of the Bill which is now before the House.

DEFECTIVE TELEGRAPHIC ARRANGEMENTS.

MR. MAHONY (Meath, N.): I beg to ask the Postmaster General whether, on 17th July, a telegram was sent from Pruskow Station, Poland, addressed Mahony, Holland Road, Brighton, whether it was returned marked "not known;" and, whether, in view of the fact that Mr. George Mahony has been residing for the past ten months at 21, Holland Road, Brighton, and has been in constant receipt of both letters and telegrams, he can explain why the telegram was not delivered to him, instead of being returned to Poland marked "not known?"

*MR. RAIKES: The telegram to which the hon. Member refers was received in Brighton at 10·44 p.m. It was at once sent out for delivery in Holland Road, and was tried there at seven houses without success. As by this time it was 11 o'clock, the messenger did not consider himself justified in carrying the attempt any further. There is a wide difference between the treatment of letters and of telegrams. Letters fall into the hands of postmen who are every day employed in the same streets; and in this way acquire a knowledge of the names of the residents, whereas telegrams are delivered by boys who are employed successively in the delivery of telegrams in different directions. In this particular case the name of the Addressee was not known to the Telegraphic Staff at Brighton, and they had no alternative but to notify to the office of origin that the telegram could not be delivered.

MR. MAHONEY: Is it not the fact that the telegram was kept at the General Post Office, Brighton, for three days without being sent to the sub office in the Western Road, where the address of Mr. Mahoney was well known?

*MR. RAIKES: I know nothing of the facts, but if necessary I will obtain information.

IRELAND—REGISTRY OF DEEDS OFFICE.

MR. T. M. HEALY: I beg to ask the Secretary to the Treasury whether he will lay upon the Table of the House the Statement of the Registrar of Deeds commenting on the Report (dated 22nd December, 1885) of the Treasury Com-

mittee appointed to inquire into the Registry of Deeds Office (Ireland)?

MR. JACKSON: The statement referred to by the hon. and learned Member is an ordinary inter-Departmental Paper, and it would not be in accordance with the usual practice to lay such Papers on the Table of the House.

THE INNY DRAINAGE.

MR. T. M. HEALY: I beg to ask the Secretary to the Treasury what amount has Colonel Dopping, the Receiver appointed by the Irish Board of Works, paid in for the lands of Mr. Christopher Reynolds, Abbeylara, County Longford, which that body have taken in execution to satisfy the Inny drainage charge; and what is the amount now due to the Government, and how many years' assessment does it represent?

MR. JACKSON: Colonel Dopping, the Receiver in this case, was appointed by the Land Judge, and not by the Irish Board of Works. No money has yet been received by the Board of Works. The total amount due to the 5th of April, 1889, is £135, representing eight years' charge.

DR. TANNER.

COLONEL NOLAN (Galway, N.): I beg to ask the First Lord of the Treasury if his attention has been drawn to a Report in the *Times* of Thursday, which alleges that in speaking of the case of Dr. Tanner, M.P., the Lord Chief Baron of Ireland declared, "I think if I were held for good behaviour there is nothing in the world would induce me to give the sureties;" if, after this pronouncement from so eminent a judicial authority, Her Majesty's Government will take into consideration the propriety of now releasing from prison a Member of Parliament who has already been confined there many days; if his attention has been drawn to the Report of the Judgment of the Lord Chief Baron in the *Irish Times*, in which the Lord Chief Baron is reported to have said—

"He (the Chief Baron) certainly thought that before being committed for contempt, a person should have the opportunity of being heard;"

and also if his attention has been drawn to that portion of the Judgment where the Chief Baron, while upholding the decision of the Magistrates in points of Law, "regretted that such was the Law;" and if the Government will advise that effect will be given to this opinion from the Bench by remitting the remainder of Dr. Tanner's period of imprisonment?

MR. A. J. BALFOUR: As regards the first paragraph I understand that the Chief Baron made the observations during the earlier portion of the argument of the counsel for the Crown, and that he was understood to mean that he would not give sureties except under a jurisdiction warranted by law. At the conclusion of the argument, the Court unanimously held that the jurisdiction in the case of the Member for Mid Cork was clearly warranted by law. As regards committal for contempt no apprehension need be entertained that any person before committal will be deprived of opportunity for explanation and apology unless it is obvious that such opportunity would only be used for the repetition of insult or disorder.

MR. SEXTON (Belfast, W.): May I ask whether the Lord Chief Baron did not describe the jurisdiction as antique—one that had hardly ever before been exercised?

MR. A. J. BALFOUR: I do not recollect the observation which the right hon. Gentleman attributes to Baron Dowse.

MR. SEXTON: Not to Baron Dowse, but to the Lord Chief Baron.

MR. A. J. BALFOUR: I believe that the Lord Chief Baron did make the observation that this jurisdiction had not been recently exercised; but I believe he also pointed out that the circumstances under which they had taken place had never before occurred. Therefore, the argument is a two-edged one.

MR. SEXTON: Considering that the cases of Dr. Tanner and Mr. Conybeare and the action of Colonel Turner are involved, will the right hon. Gentleman take care that the Vote upon which the question can be raised shall be taken at an early hour?

COLONEL NOLAN: I wish to know whether the Report from which the language of the Chief Baron is taken is accurate or otherwise; and, also, whether it is intended to release Dr. Tanner?

MR. A. J. BALFOUR: The hon. and gallant Gentleman will see that the

advice the Lord Lieutenant may tender to the Crown on the subject of Dr. Tanner's release, does not rest with me (Mr. Balfour) nor with the House. As far as I am aware, it is not intended by the Lord Lieutenant to make a special representation to Dr. Tanner; but under the circumstances, Dr. Tanner will be treated, under the rules applicable to untried prisoners, as a first-class misdemeanant.

MR. T. M. HEALY: Is it not a matter of fact Dr. Tanner is not now being treated as a first-class misdemeanant?

MR. A. J. BALFOUR: I understand that the prison rules are rather more favourable to untried prisoners than to first-class misdemeanants.

COLONEL NOLAN: I want to know whether the report of the *Times* which I have quoted is correct or incorrect?

MR. A. J. BALFOUR: I am not in a position to say whether the report is accurate or inaccurate. The answer I have given was given from the best information I could obtain.

COLONEL NOLAN: Did it come from the Lord Chief Baron?

MR. A. J. BALFOUR: No; it did not.

MR. PARNELL (Cork): I wish to ask whether Mr. Powell, the other bail prisoner who is in gaol under somewhat similar circumstances for refusing to give bail for good behaviour, will also be treated as an untried prisoner?

MR. A. J. BALFOUR: I have no information as to Mr. Powell, but I will be glad to answer the question if notice is given. The information I have given as to Dr. Tanner is what I have just received by telegram from the Prisons Board, who are acting under their discretion in the matter.

MR. A. O'CONNOR (Donegal, E.): May I ask whether, in the case of Dr. Tanner, now under sentence for contempt, inflicted by a Court which affects to exercise a jurisdiction which it does not possess, the prisoner will be released?

MR. A. J. BALFOUR: I cannot answer an argumentative legal point; but in the case of the hon. Member for Mid Cork the Court has held that the jurisdiction was warranted by law.

POLICE IN CLARE.

MR. COX (Clare, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will state what is the number of police at present stationed in County Clare, and setting out (a) the number of ordinary police; (b) the number of extra police?

MR. A. J. BALFOUR: The Constabulary Authorities report that the number of the police at present in the County Clare is as follows:—Free force, 327; extra force, 159—total, 486, together with 9 Head Constables, 8 District Inspectors, and a County Inspector.

NAVAL LIEUTENANTS.

SIR JOHN COLOMB (Tower Hamlets, Bow, &c.): I beg to ask the First Lord of the Admiralty how many Lieutenants are now serving in Her Majesty's Ships at home and abroad; how many Lieutenants are now unemployed and available as a reserve for filling up casualties in ships now in commission; how many Lieutenants serving in ships in commission are fully qualified Gunnery Lieutenants; and, how many of the Lieutenants unemployed are so qualified?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): There are 857 lieutenants on the present Navy List, of whom 782 are employed in the mobilised Fleet, or in ships at home and abroad. 38 are serving in the Coastguard, and the remaining 37 are either on half-pay, the sick list, or casual employment. There is, therefore, in the present state of the lists, little reserve. It must, however, be remembered that at the present moment the Fleet is on a war footing with a peace establishment, and that in the case of real emergency all the lieutenants referred to, as well as those in harbour ships and the Retired List, would, in addition to officers of the Royal Naval Reserve, be available for service. Of the gunnery lieutenants, 74 out of 79 are serving at the present time. It was settled some time back to raise the lieutenants' list to 1,000, and steps were taken two years ago to carry out this object by largely increasing the number of cadets annually entered.

IRELAND—SANITARY CONDITION OF DERRY GAOL.

MR. SEXTON: I wish to ask the right hon. Gentleman the Chief Secre-

tary whether three of the Falcarragh prisoners who have been detained in Derry Gaol have been discharged in a state of serious illness; whether one of them, when released, was in a delirious condition, and died shortly afterwards of typhus fever, contracted in the gaol, and whether another was not dangerously ill of the same fever. I would also ask whether, having regard to the opinion of the Lord Chief Baron that Mr. Conybeare is illegally in custody, and ought to be discharged, the Government intend to enforce the whole of his sentence?

MR. A. J. BALFOUR: I have heard to-day that one of the Falcarragh prisoners, released from Derry Gaol, has since died of typhus fever.

MR. SEXTON: He was delirious when let out.

MR. A. J. BALFOUR: I have not heard that; neither have I heard of the illness of two other persons from typhus, as described by the right hon. Gentleman. I should rather think that the allegation was erroneous, because, in answer to my communications, the only statement which I have received is that on July 11 a prisoner was discharged suffering from inflammation of the lungs, and I think that the authorities would have given additional information as to the typhus if it had existed. As to the hon. Member for Camborne, I do not know that particular circumstances connected with Derry Gaol have any bearing on his case.

MR. SEXTON: It is a dangerous gaol.

MR. A. J. BALFOUR: I quite admit that the fact that a prisoner who was recently in Derry Gaol has died of typhus, supplies very adequate ground for making a most careful inspection of the prison, and to-day the principal member of the Prisons Board has gone to Derry for the purpose of instituting the necessary inquiries.

DR. KENNY (Cork, S.): Will the right hon. Gentleman take into consideration the justice of making some compensation to the family of the poor man who has died, and to whose sentence of imprisonment the penalty of death has been added by the Government?

MR. A. J. BALFOUR: Until we know the real circumstances of the case and are informed as to the sanitary condition of Derry Goal, it would be premature to consider any question of that kind.

MR. MACNEILL: Will the right hon. Gentleman give orders that a covered place, instead of an exposed yard, shall be constructed for the use of prisoners when exercising? On July 12 a prisoner died of sunstroke in consequence of exposure to the burning sun.

MR. A. J. BALFOUR: The propriety of erecting a covered place of recreation is a question of general prison management which ought not to be decided with reference to one particular gaol. I will inquire what the practice is in England, and if there is a different system here I will consider what should be done in the matter.

MR. SEXTON: In Supply we shall have to discuss whether this Derry Gaol is not a deathtrap.

DR. FITZGERALD (Longford S.): Had the Government, at the time of the release of the prisoners, information in their possession that typhus had broken out in Derry Gaol?

MR. A. J. BALFOUR: No, Sir. No information of the kind was possessed by the Government as far as I know; nor do I know that it is absolutely certain that the man did die of typhus. There seems to be some doubt about it.

MR. COSSHAM (Bristol, E.): As the Lord Chief Baron has expressed an opinion that Mr. Conybeare has been illegally convicted, and seeing that another Judge entertained some doubt in the matter, will the Government order Mr. Conybeare's release?

MR. A. J. BALFOUR: I have already answered that question.

GOVERNMENT BILLS.

MR. E. ROBERTSON (Dundee): I see that the President of the Local Government Board has a Bill upon the Paper. May I ask whether the First Lord of the Treasury will give an assurance that no more Departmental Bills such as this will be introduced this Session?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): No; it is not in my power to give an assurance of that kind. Emergencies may arise at any moment rendering it necessary to introduce

measures of this character in the public interest.

BUSINESS OF THE HOUSE.

SIR G. CAMPBELL (Kirkcaldy): May I ask the Secretary to the Treasury whether the Votes in Supply are being put down in regular order as he promised they should be, because it appears to me that every day they are put down in a different order?

MR. JACKSON: The reason for putting them down in the order in which they appear is the necessity of meeting the exigencies of the Service.

SIR G. CAMPBELL: Will Class V. be taken in the order in which it appears?

MR. JACKSON: Yes, Sir.

MR. STOREY (Sunderland): May I ask the Chief Secretary whether in view of the fact that the Barrow and Shannon Drainage Bills are not to be persevered with he will take them off the Paper?

MR. A. J. BALFOUR: Yes, Sir; I will in each case move that the Order for the Second Reading be discharged.

MR. STOREY: It would greatly relieve our minds if the right hon. Gentleman would state that he intends to take the same course in regard to the Bann Drainage Bill.

MR. T. W. RUSSELL: I hope that the right hon. Gentleman will not do anything of the kind.

MR. W. REDMOND (Fermanagh, N.): When does the right hon. Gentleman the First Lord of the Treasury propose to take the Second Reading of the Western Australia Bill?

*MR. W. H. SMITH: I am not able to say.

MR. W. REDMOND: Will the right hon. Gentleman give reasonable notice?

*MR. W. H. SMITH: I will endeavour to give as much notice as possible; but at this period of the Session it is impossible to say when any particular Bill will be taken.

MR. LLEWELLYN (Somerset, N.): May I ask when the Merchant Shipping (Pilotage) Bill, which stands as the 25th Order, will be taken?

*MR. W. H. SMITH: It will be taken at the first opportunity.

SWEATING SYSTEM.

Ordered (Aug. 16)—

"That a Message be sent to the Lords, to request that their Lordships will be pleased to communicate to this House, a copy of the Fourth Report from the Select Committee appointed by their Lordships on the Sweating System, with the Proceedings of the Committee and Minutes of Evidence."—(*Mr. Ritchie.*)

RAILWAY COMPANIES (PASSENGER TRAINS).

Return (Aug. 16) ordered—

"Showing the running of the Passenger Trains on the Main Line and Branch Lines of the London, Brighton, and South Coast Railway; the London, Chatham, and Dover Railway; the London, and South Western Railway; and the South Eastern Railway, respectively, for the year ending 30th day of June, 1889.—

	Year ending June, 1889.	
	Number of Trains.	Percentage.
Trains to time		
Trains 1 to 5 minutes late		
Trains 6 to 10 minutes late		
Trains 11 to 15 minutes late		
Trains 16 to 20 minutes late		
Trains 2 to 25 minutes late		
Trains 26 to 30 minutes late		
Trains over 30 minutes late		

—(*Mr Pa*)

PREVENTION OF CRUELTY TO, AND PROTECTION OF, CHILDREN BILL
(*Changed from* "CRUELTY TO CHILDREN PREVENTION BILL.")

MR. MUNDELLA (Sheffield, Brightside): I beg to move that the Lords' Amendments to the Protection of Children Bill be now taken into consideration. [*Cries of* "No."] The Amendments passed in another place have, on the whole, very much improved the measure.

*MR. SPEAKER: The Motion can only be taken by leave of the House.

[Several hon. Members objected, and the Motion was not put].

Lords Amendment to be considered upon Wednesday, and to be printed. [Bill 372.]

MESSAGE FROM THE LORDS.

That they have agreed to Merchant Shipping Acts Amendment Bill, Universities (Scotland) Bill.

MOTION.

PUBLIC HEALTH (CHOLERA PREVENTION.)

On Motion of Mr. Ritchie, Bill to remove doubts as to the power of the Local Government Board to make Regulations respecting Cholera, ordered to be brought in by Mr. Ritchie and Mr. Long.

Bill presented, and read first time. [Bill 373.]

LUNACY ACTS AMENDMENT BILL
[LORDS.] (No. 199.)

Lords Reasons, and Lords Amendments to Commons Amendments, and Consequential Amendment made by the Lords to the Bill, considered.

Resolved, That this House doth not insist on the Amendments to which the Lords have disagreed, and doth agree to the Amendments made by the Lords to the Amendments made by this House, and to the Consequential Amendment made by the Lords to the Bill.

ORDERS OF THE DAY.

TITHE RENT-CHARGE RECOVERY BILL. (No. 272).

Order for Committee read.

MR. HERBERT GARDNER (Essex, Saffron Walden): The subject of the Instruction I venture to submit to the House is one of some difficulty, and I must ask the indulgence of the House while I put forward my view why I think it necessary the Committee should have this Instruction, and I will endeavour to be as brief as possible in doing this. Before I go to that part of the subject I may say that we on this side of the House, and, indeed, I think the House generally, have reason to complain of the way the Government have treated us in regard to this Bill. After 14 or 15 adjournments extending over a period of two months, the Government have at last made up their minds, and this, according to common report, notwithstanding the urgent protests of their own friends, to proceed with this measure. From a Party point of view we, on this side of the House, ought to welcome this decision, because I am perfectly certain it will bring the Government into sharp antagonism with many of their oldest and firmest supporters in the county constituencies. Whatever we may think of the wisdom of their procedure, or the convenience of the opportunity the Government have chosen, it is impossible to deny the right of the Government to choose their own time for bringing on a measure for which they are responsible; but while we admit that right of the majority, I hope we may claim on this side the equal right of the minority to use the fullest freedom of amendment and criticism. We consider the Bill to be a one-sided measure; we consider it to be a measure which cannot possibly carry out the intention for which it is avowedly brought forward.

*MR. SPEAKER: I am sorry to interrupt the hon. Member, but I must remind him that this is not a Second Reading Debate: it is the discussion of a specific Instruction, not a general discussion.

MR. HERBERT GARDNER: I was only referring, Sir, to the general character of the Bill, in order to point out why it is I consider the Instruction necessary. Of course I bow to your ruling, Sir, and proceed to call attention to the Instruction of which I have given notice—

"That the Committee have power to make provision for a gradual redemption of Tithe Rent-Charge on an equitable basis."

Now, I venture to call attention to the

word "gradual" for two reasons—first, because I think it answers any objection which might be brought from the other side that the Instruction would inevitably kill the Bill, claiming, as the Government do, that it deals with a matter of procedure only; and the second and more important reason is, that being gradual it will not have at once universal application, and therefore it will be open to any part of the country where the tithe rent-charge is satisfactory from an agricultural point of view, between tithe owners and tithe payers, not to have this Instruction applied to them. I do not propose on this occasion to put before the House any definite scheme of redemption, it is obvious it would be wrong to attempt to do so at this point of the Debate, and it would be far more orderly to bring forward such a scheme in Committee, and I am quite ready to put down clauses for the purpose should the House sanction this Instruction. But I have an earnest hope that such clauses may come from more competent hands, and, apart from Party, be accepted by the general sense of the House. There are certain principles that must be adhered to. Tithe was originally a compulsory tax on the produce of the land, and the tithe rent-charge has become, with very little protest in the country, an absolute and definite property. But it is a public property, a national property, the property of the nation, and of the nation alone. It is, therefore, quite obvious that if we are to contemplate any scheme of redemption the first condition of any scheme must be the recognition of the inalienable property of the country; there must be no tampering with the title of the nation to its own property. This proposition will be accepted in all parts of the House in reference to any redemption scheme, and it certainly would be a vital condition on this side. Therefore, I pass from that to show why, in my opinion, it is desirable that some scheme of redemption should be brought forward, and that without any unnecessary delay. The tithe rent-charge is, I have said, a tax upon produce; it never was intended to be charged on the land alone; it was never intended to be charged upon the capital which is put into the land, nor was it ever intended to be charged wholly on the labour for the cultivation of the land; it was intended to be a charge upon the property, capital and labour combined. As the House knows, the country has been passing through a period of exceptional agricultural distress, and this distress has especially fallen on those counties in which the tithe rent-charge most especially presses. There is no reason to imagine that we have got to the bottom of that distress. It may happen—it is very possible—that circumstances might arise that would bring this distress back upon us in all its intensity; and if that comes about, then the first question that will arise will be how the tithe rent-charge should be dealt with. It will be pointed out, as it was in 1836, that it is a tax on the great industry of the land, and when we remember that the agitation that will arise will not be from one class, but probably from all classes living on the land—owners, occupiers, and labourers—I think we shall see the agitation will be very formidable and difficult to grapple with, and it may come about that we who look on this charge as a national property, whether it be devoted to religious or secular purposes—it may come about that we shall lose our hold on this property altogether. Therefore, it seems to me, it would be a wiser course for us to adopt some scheme of redemption while there is yet time. The scheme of redemption we should accept must, of course, be on an equitable basis—that is to say, injuring neither the tithe-owners on the one side or the agricultural interest on the other. It must be a fair charge that the land can afford to pay—just to the clergy or tithe-owners, yet not placing the agriculture at a disadvantage. I ventured to point out the other day the great and unforeseen change which has come over agriculture since the settlement of 1836. Nobody at that period, nobody who joined in the Debates upon the Act of 1836, thought it possible that towards the close of the century there would be great tracts of land the yearly value of which would not equal the tithe rent-charge placed upon the land. Nobody at that time could have anticipated that this would happen so soon, yet the causes were then present, and, in some instances, at work. One reason, undoubtedly, was the high price to which

corn had risen in consequence of the long Continental wars that ended in 1815. The consequence of that high price was that pasture land and inferior land was converted into corn land, and this land was tithed as arable land when the Act of 1836 was passed. So it comes about that some land is charged with exceptional high tithe in proportion to its value. Everybody knows there is much of this land which has gone out of cultivation, to the great loss of capital and labour. You cannot ever restore the land to its original use; it is not profitable to plant it with wood or to return to its original state of pasture, because the tithe on it is so heavy. These are, I think, very serious, very startling facts that deserve the attention of the House and the country. But there are other facts in regard to the working of this Act to which I would call attention, and the reason I call attention to them is because my Instruction would give some compensation for what has happened. The working of the Tithe Commutation Act has not carried out the intention of the framers of it. I will not now discuss the question of corn averages, but I will call attention to the septennial average. The House knows that the value of the tithe rent-charge for any year is calculated on the price of barley, wheat, and oats during the seven preceding years, and so it may come about that a man may buy a farm or a tenant may take a lease at the end of seven fat years when prices were high, and his first year of occupation may commence a series of lean years when prices are low; but the tithe rent-charge will be calculated on the prices on the seven fat years with which he had nothing to do. As anyone who has had anything to do with agriculture must remember, the year 1879 was most disastrous to that interest in this country. In that year the tithe rent-charge was as high as 112, yet anybody who knows anything about agriculture knows that the farmer and those who worked the soil absolutely got no profit out of the land, and if the tithe had been collected in kind as before 1836, the tithe, instead of being 12 or 13 per cent, would probably not have been worth the expense of collection. Now that seems to me unjust and inconsistent, and there ought to be some compensation. The Government, however, have not, though professing to have the interests of agriculture at heart, brought forward any measure to remedy these defects, and I think at the next General Election, probably, this *lapsus* of theirs will be recollected in county constituencies. I shall be told there is no necessity for my Instruction because the Government have promised—and I must say in a somewhat vague fashion—to take the matter up themselves. They have said that possibly they will next year bring in a Bill, or, as an alternative, they will refer the matter to a Committee. Well, there is an humble proverb, "A bird in the hand is worth two in the bush," and that is especially true as applied to promised legislation. We who have only been through this short Parliament have seen over and over again instances where legislation has been promised and the promises have never been fulfilled. Where is the District Councils Bill, which seemed when promised an absolute consequence of the Local Government Bill? We have not heard a whisper of that Bill this year, nor shall we probably hear of it next year. We should be very unwise to give up this opportunity upon a vague and empty promise of the Government. We have a promise from the Government of a Joint Committee of both Houses to consider the subject, but we know nothing of the constitution of the Committee; it may be appointed next year, it may enter on its consideration next year or the following year, and continue to the end of the present Parliament. It is most important to know, too, what the Committee is to consider, and this, I hope, the Government will definitely tell us. Is the Committee to consider the whole working of the Act of 1836? Is it to consider what is a fair, just, and equitable basis of any commutation scheme to be brought in? These are matters upon which we ought to have some definite information from the Government. Upon another matter, too, I hope we shall have some explanation. Two years ago I ventured to press upon the Government the necessity of having a Committee for this very purpose, and after much consideration and procrastination they came to the definite conclusion that they could not grant a Committee at all. What has happened in agriculture to

make it necessary to appoint a Committee now when it was not necessary two years ago? The only change there has been seems to me to be a change in the mind of the Government, and what guarantee have we that they will not change their mind again next year? I think the House would be wise to take advantage of this opportunity, and Members for agricultural constituencies would do well to accept this Instruction, even though it should be found impossible to carry clauses to give effect to it, for it will be a definite pledge that something shall be done in the interest of the tithe-payers in addition to a Bill like this, which is conceived solely in the interest of the tithe-owners. Two other reasons have been put forward why this Bill should be passed at once and why this Instruction should not be received. One of these reasons is that we are told the whole object of the Bill is to make the people who can pay tithe-charge and will not pay, pay the charge; or, as I have seen it suggested in a letter, to make the defrauders and swindlers of Wales who can pay fulfil their obligations. We are led to suppose that only those who can pay and will not pay will be affected by the Bill; but that is absolutely false; the effect will be that the whole of the tithe-payers will be——

*MR. SPEAKER: I must remind the hon. Member he is now going into the whole question of the Bill, not only the redemption of the charge. I must remind him this is not in the nature of a Second Reading Debate, and but for the notice of the Instruction I should leave the Chair at once, and the House would go into Committee on the Bill. The Instruction does not open up a Second Reading Debate; only the specific question concerned in the Instruction is introduced.

*MR. HERBERT GARDNER: The mistake I made, Sir, was that I thought it possible to put forward the disadvantages of the Bill to show the reason for compensation, and, therefore, for my Instruction. In conclusion, I will ask the House to vote my Instruction because it does give some compensation to tithe-payers, and will, I hope, pledge the Government to bring forward some measure on their behalf showing the country and agricutural constituencies that the House is not prepared to relegate the just claims of the agricultural interest to the chances and changes of an uncertain future.

Motion made and Question proposed,

"That it be an Instruction to the Committee that they have power to make provision for a gradual redemption of Tithe Rent Charge on an equitable basis."—(*Mr. Herbert Gardner.*)

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): There is very much in the speech of the hon. Member with which the Government sympathise. They have more than once declared their intention to deal with the tithe rent-charge, and my right hon. Friend the First Lord of the Treasury only a few nights ago said the Government propose to refer this most difficult and complicated question of the working of the Tithe Commutation Act and the Acts amending it to the consideration of a Joint Committee of both Houses. It is obvious that the question is surrounded by many difficulties, and the speech of the hon. Member himself has shown that the most careful examination must precede legislation on this part of the subject. Sympathising as I do with the view that the redemption of the tithe rent-charge on a fair basis is a desirable thing, the only other question is, is it possible with the time at our disposal to undertake this work this year? I think the House will be satisfied that it is not possible. The hon. Member himself points out that what we must first get at is the foundation of the calculation of a fair rent-charge to be put on the land, before we can get the sum of the number of years' purchase for the redemption. I pass by the allusions to tithe rent-charge being a national property because, with all respect to the hon. Gentleman, it appears to me irrelevant to the argument which he offers in support of his Motion. For the purpose of the present Debate, I will accept the argument of the hon. Member that in order to get at the fair basis he desires it will be necessary to reconsider the apportionment of the charge under the Act of 1836. Now I believe that many great anomalies have grown out of the settlement of 1836; but it is a question how far it is possible or wise to review that settlement. I doubt extremely whether, taking the country as

a whole, the tithe-payers have not largely gained by the settlement of 1836. I do not advance that as a positive opinion; I only say I doubt whether they have not gained. But if they have lost, it is quite obvious that to re-open that settlement and to institute machinery for arriving at a fresh apportionment will be a task of great magnitude. Is the hon. Member opposite sanguine enough to expect that in the present year it would be possible to introduce clauses into this Bill which would carry out the object intended by the Instruction? The only remaining question is whether, by this consideration, the House is to be prevented from passing a small and useful measure which is totally independent of this large scheme proposed by the hon. Member. We have given most anxious consideration to this question, and have endeavoured to solve it; but the more it is looked into, the more the difficulties surrounding it become apparent. This is why the Government have proposed no larger measure in the present year, withholding their hands for further inquiry and consideration. I would ask the House to believe that the Government have a sincere desire to arrive at a satisfactory solution of the question of redemption; and the measure before the House is entirely independent of that question. Whatever may be the great national purposes to which the hon. Gentleman proposes to devote the tithe in future, he must admit that redemption must be a very gradual process, as 60 or 70 millions of money will have to change hands. While redemption is proceeding it is manifest that those who owe tithes must pay, and if unwilling to pay, must be made to do so. We are of opinion that there ought to be some easy and just remedy by which those who are entitled to the tithe can recover it.

*MR. SPEAKER: Order, order! The right hon. Gentleman is discussing the Bill itself and not the Instruction.

MR. MATTHEWS: I beg pardon, Mr. Speaker; I am conscious of that. I will content myself with saying, in conclusion, that as this Instruction would obviously be fatal to the Bill, we ask the House to reject it.

SIR W. HARCOURT (Derby): There are a good many Instructions on the Paper with reference to this Bill, and with most of them I must concur. The object of all the Instructions is to affirm that the Bill is in a shape in which it ought not to be passed at the present time; that it ought to be enlarged so as to include interests which it does not deal with; and, that as framed, it is unfair, because it only deals with one class of interests. The Government have placed the House in a most unfair position. The right hon. Gentleman admits that the question is a very important one; yet how do the Government deal with it? In former years they have had Bills upon the tithe question, and they did not require further time for the consideration of the matter. To assert that they have had no time to introduce a large and comprehensive Bill is to make an unfounded statement. The right hon. Gentleman (Mr. Matthews) calls the Bill before the House a small and useful Bill. Small it certainly is; it is, in fact, inadequate and much too small for dealing with this large subject. That it is useful I deny. It is useful to a certain class of persons interested in tithes, but it is extremely injurious to other classes whose interests have not been considered. The object of the Instruction under discussion is to endeavour to bring the House to the conclusion that if the tithe is to be touched at all it ought to be touched in a wider manner than is proposed under the Bill. The Government allege that the Bill is necessary on account of the fear of public excitement. If that be so, the Bill ought to have been pressed through Parliament at the earliest possible period of the Session, because it must have been needed quite as much six months ago as it is now. There are very strong reasons, I think, why the Government's plea of urgency should be rejected.

MR. COOKE (Newington, W.): I rise, Sir, to a point of order. I wish to know whether the urgency of the Bill is the question before the House?

SIR W. HARCOURT: I would submit, Sir, that I am giving reasons for the Instruction. I am arguing that the Bill cannot be so urgent that there should not be an Instruction with the object of enlarging it.

*MR. SPEAKER: The matter under discussion is not the Bill as it stands, but whether the Second Reading, having been passed, the Committee which is to

sit on the Bill should also take into consideration the question of the redemption of tithes. I know how extremely difficult it is to avoid any reference to the circumstances and details of the Bill; but I think that any detailed reference to the Bill or the circumstances connected with it would not be in place now.

SIR W. HARCOURT: That is precisely what I understood. It is impossible to urge that an Instruction to enlarge the Bill should be passed without pointing out that the Bill is inadequate. The whole object of the Instruction is founded on the inadequacy of the Bill. I do not understand, for instance, how the next Instruction —[*Ministerial cries of* "Order!"]—I am perfectly in order. I wish hon. Gentlemen opposite would wait for the constituted Authority of order to decide the relevancy of my remarks, and would not take that function upon themselves. I cannot see how the next Instruction can be defended without reference to the contents of the Bill. I should imagine that the Mover of the next Instruction will point out that the Bill places the burden of paying the tithe on the occupier and not on the owner, and that will be a reference to the Bill. Unless he can do that, how can he justify an Instruction that the burden should be placed on the owner instead of the occupier? I cannot refer to the contents of the Bill, but must content myself with the assertion that the Bill is narrow, and I must confine myself to the general allegation that it does nothing. I should be very glad to prove that it does nothing, but I am content to make the assertion that it does nothing except for the tithe-owners. The right hon. Gentleman the Home Secretary says he agrees that redemption should take place. I am very glad he has not traversed the assertion of the hon. Mover of the Instruction that the tithe is national property, and will ultimately have to be disposed of as such. But the right hon. Gentleman says the proposed enlargement of the Bill ought to be postponed till a further Session, and asks the House to have reliance in the good faith of the Government when they promised to deal with the subject more fully in a future Session. At the same time, the right hon. Gentleman has significantly warned the House that it is a most difficult and complicated question, and one that must lead to great complexities. I do not make the charge against this Government more than against any other Government; but I have always observed that when questions are very difficult and complicated, and affect different interests in different parts of the country, those are the questions which are not dealt with by the Government. If the Government are allowed to get rid of the pinch, as they are trying to do under the present Bill, you may depend it you will never hear of a comprehensive Tithe Bill. If the House removes the pressure under which the Government are placed to deal with the matter as a whole, it is an idle pretence to suppose that an adequate Bill will be introduced in future. The House ought either to keep hold of this Bill and enlarge it by accepting this Instruction, or they ought to reject the measure altogether. Those are the alternatives which the House ought to face, because to pass this measure in its present shape without enlargement is simply to destroy in future any possible prospect of a large and adequate Tithes Bill. I shall vote for the Amendment of my hon. Friend, and for the other Instructions on the Paper, believing that they are well founded, and will have a tendency to enlarge the Bill, and make it a more adequate measure.

MR. STAVELEY HILL (Staffordshire, Kingswinford): I abstained from voting for this Bill on the Second Reading, because I thought it unlikely that the Government would pass a measure which seems to me to be equally unfair to the tithe payer and the tithe owner. My right hon. Friend the Home Secretary says there must be eventually a redemption of the tithe rent-charge. If that is so, the House has no right to do anything which will alter the capital value of that charge. The provisions of this Bill will have the effect of increasing the capital value of that charge, and this seems to me to be a strong argument in favour of the Instruction, that there should be accompanying this Bill a scheme for the redemption of the tithe rent-charge. I will be very brief on this point. I will take the state of things which exists now and the state of things as it will exist if the Bill be passed. Under the legislation of something like

two centuries—from the 7th and 8th of William III. down to the present time—a ready remedy has been provided for the incumbent to obtain his tithe. For a small amount he serves a notice on two Justices, and for a larger amount he serves a notice on the defaulter himself, thus obtaining a distress on the land in the parish, and eventually extending to other lands. The tithe owner also obtains a provision giving him a right to possession of the lands in case of default. That is the utmost extent to which at present the power of the tithe owner extends. But what will be his position under this Bill? First of all, there will be a process in the County Court, a process which may be defended to any extent; but when judgment has been obtained the incumbent will have the power of obtaining execution on goods anywhere —["No, no!"]—he will indeed—and payment by instalments. The creditor will also have the power of "lifting" that judgment into the Superior Court, in which he will have the power of obtaining a *distringas* on the stock belonging to the debtor wherever found. He may seize the lands, and he may attach all debts by garnishee order. He may then register his judgment, and he may obtain a discovery in aid of execution, examining where the property of the debtor is, and obtaining an execution wherever it is found.

*MR. SPEAKER: The hon. Member is not now discussing any scheme of redemption, but is discussing the Bill itself.

MR. S. HILL: I bow at once to your ruling, Sir, but what I was attempting to show was that the Bill would lead to an increased capital value of the tithes. I will only say further that at last there may be a committal of the debtor.

MR. MATTHEWS: The whole statement which the hon. Member has made is accurate from the point of view of a County Court order; but there are words in the Bill which expressly negative such an operation as that contemplated by the hon. Member. I am quite willing to insert words to make the point clear.

MR. S. HILL: I say distinctly there are no words in the Bill which in any way exclude debtors from the operation I have indicated. I challenge my right hon. Friend to show me one word of exclusion. Well, Sir, I say that if the tithe rent charge must be taken off the land we ought to wait until the redemption scheme is before us, especially before we pass any Bill affecting the capital value of tithe rent-charge.

MR. GRAY (Essex, Maldon): My opinion is that redemption is the only basis on which this difficult and vexed question can ever be fairly settled. The changes in agriculture during the last 50 years have been so great that any scheme without redemption it would be almost impossible to frame, and it would probably dissatisfy everybody. The interests of the Church would be greatly more advanced also by redemption than by any pettifogging measure like the present. Changes connected with agriculture in the Eastern Counties have been so great that agriculturists have been praying for a long time that the whole of this question may be taken into consideration, and Chambers of Agriculture in the district have arrived at the conclusion that the only solution of the difficulty is redemption. For that reason, if there is a Division on the Instruction, I shall, under present circumstances, feel bound to support the hon. Member; but I should have greatly preferred that the Government had relieved me from the dilemma by stating specifically that they will be bound in all honour to bring in a redemption scheme next Session. If they had done that in such a way that it would have been impossible to back out of it I should have been in a very different position. But they have not done that. Unless, therefore, I get a most distinct promise from the Government that they will bring in a comprehensive measure next Session, I shall be obliged to support the Instruction of the hon. Member for Saffron Walden.

*MR. STUART RENDEL (Montgomeryshire): Mr. Speaker, I do not think there will be much hesitation among Welsh Members on this side of the House as to the course which they will take; this I can say on behalf of Welsh Liberals, that there are no better friends than they of tithe property, though they object to a proposal for its protection which is one-sided. And the reason why the Welsh people respect the property in tithe is not far to seek. It is because they regard

that property as their own. With reference to this particular Instruction, I would only say that I believe they are favourably disposed towards it—first, as a protest against the inadequacy of the measure; secondly, as a testimony of the respect in which the Welsh Members hold the property of the tithe. There is another and a special reason why we desire to associate tithe redemption with any measure such as this: if you are going to alter the status of the property of tithe, as you do by this measure, you ought, by one and the same Act, to provide for its redemption on terms excluding the effect of your alteration. What is now proposed, as has been powerfully argued on the opposite Benches, is a large alteration of the status of the property of tithe, which must seriously affect the value of tithe, and yet it is proposed by you that the question of redemption shall be kept over until that alteration shall have so affected value. For these reasons, I believe Welshmen will support my hon. Friend in this Instruction. No doubt our main object is to protect this property in tithe, and we want a thoroughly comprehensive measure which shall not tinker, peddle, or palter with the subject in a one-sided manner, but shall deal with the question as a whole, and in a broad spirit of justice to all the interests and parties concerned.

*MR. SWETENHAM (Carnarvon District): Mr. Speaker, I agree with what has been said by my hon. Friend the Member for Maldon, and, unless I understood that there was a distinct pledge on the part of the Government to bring in a large and comprehensive Bill, I would hesitate before I supported the present proposal. But I understand that it is the intention of the Government in the future to bring forward a measure which shall deal with the whole subject. The hon. Member for Saffron Walden has made a most excellent speech, and in almost everything he has said I agree with him. He has shown to me that he has studied the question in a most careful manner, and that he understands the principle of a proper system of redemption. He has also shown to me, and, I think, to the House conclusively, that the subject is so vast and complicated that it will require a strong and firm Government to deal with it. If my hon. Friend had attempted, as I have done, to draft a Bill, he would have found the difficulties increasing as he proceeded, and he would have discovered parts of his work destroyed by subsequent considerations. I am one of those who think that the principal panacea for all the troubles we have had lately is redemption. But that plan must be gradual, and I would like, if the hon. Gentleman could tell us that he has any plans on which he could found a Bill for the redemption of tithe, I am sure it would be dealt with on this side of the House with the greatest pleasure, knowing as we do how difficult it is to frame a measure. But the time is not at present ripe for this scheme. As to the present Bill, nobody can say for a moment that this Instruction is not an invidious attempt to shelve it for the present Session; and it was with the very greatest regret that I heard the observations of my hon. and learned Friend (Mr. Staveley Hill). Were it in order, I could certainly show that he was wrong in his law, for the very object of this Bill is that it should not be made a costly process for the incumbent to recover his tithes. It has been argued on the other side as if tithe was only paid to incumbents. But a very large amount of it is paid to lay impropriators and for the purposes of education, and when the question of redemption is dealt with, it will, as a matter of course, affect not only the clergy, but lay impropriators, and also the tithe belonging to Christchurch and other educational institutions. I hope, when the question is dealt with, it will be in a proper and adequate manner. But I venture to think that this is not the proper time for such a proposal, and I do hold that, in the interests of the Church as well as of order, there should be an easy and quick mode of recovery. I venture to hope this Instruction will not be carried.

MR. OSBORNE MORGAN (East Denbighshire): Sir, the hon. Member who spoke last reminded me by his speech of the saying that "the woman who hesitates is lost." Certainly, if the Government had wished to do an unpopular thing they could not have done it better than by bringing in the present Bill. But I must not pursue that subject further. The right hon. Gentleman the

Home Secretary raised two objections to this Instruction. First of all, he admitted that the Instruction might, in the abstract, be right, but that there was not time to consider it. And the right hon. Gentleman further said that the Bill was too small, and that the Government could not re-open the settlement of the Commutation Act of 1836. My answer is that it does re-open the settlement of 1836, and it re-opens it only for the benefit of the tithe-owner, and without giving any corresponding benefit whatever to the tithe-payer. The redemption of tithe is certainly absolutely necessary. There is no charge so unpopular and odious, because of its uncertainty. There is no charge which goes up and down so much, and which is so disproportioned to the actual produce of the land. In old times it was not so. I can remember when the 10 stacks were set out, and the pastor took his tenth. My hon. Friend the Member for Saffron Walden referred to 1879. That was one of the most disastrous years to agriculture we ever had; yet, when there was not produce enough to pay the tithe, the farmer had actually to meet this enormous charge upon him. The real reason for this Instruction was put forward by the hon. and learned Member for Staffordshire, when he showed that the effect of the Bill would be to raise the capital value of the tithe, and so to alter the basis on which the redemption would take place. If you pass this Bill, redemption would be a very different matter to what it would be without it. Another argument which presses strongly upon Welsh Members is this—we believe the tithe to be national property, and we desire to see that national property put on some equitable and firm basis. It is said that the Government are pledged to deal with the whole question next Session. Where is that pledge? Will any Minister on the Treasury Bench get up and repeat it? The hon. Member for Maldon is considerably shrewder than the hon. and learned Gentleman, for he sees clearly enough that the Government have given this pledge in a general way—they have not given a distinct pledge. If this Bill were to pass we should never see a comprehensive Tithe Rent-Charge Bill again. The shoe pinches now, and, if this Bill passed, depend upon it the Government would not touch the subject again. On these grounds I shall vote for the Instruction of my hon. Friend.

MR. LABOUCHERE (Northampton): Sir, reasons general and particular have been given in favour of this Instruction. I confess I do not agree with the particular reasons, but I agree with the general reasons. The particular reasons, with some of the general, are in favour of the redemption of tithe. I am not at all in favour of the redemption of tithe. I regard it as national property, and I should like to see that national property still remain a first charge on the land. If it were to become personal and portable property, it would fall into the hands of the clergy, and we might try to ear-mark it, though I do not think we should be able to ear-mark it; and I am perfectly certain there would be greater difficulty in getting hold of it than if it were left on the land, if it were wished to induce the Government to devote it to the cause of the nation itself instead of the Church. That doubting Conservative the Member for Carnarvonshire, who said that some of the intentions of the Government are to be regarded as honest intentions, in this particular case is not going to vote according to his views, because the Government have some honest intentions in regard to the redemption of tithes next year. But he also stated fairly that the object of this Instruction is to shelve the Bill; and, in stating that, he convinced me that I ought to vote for it. I want the Bill to be shelved—I do not particularly care by what means. I respect anyone who in August tries to put a spoke in the wheels of the chariot of the Government at this period of the year. I intend to vote with my hon. Friend, but I feel it my duty to say why, because if the word "redemption" in the Instruction ever became a substantive Motion I would do my very best to oppose it.

*SIR W. BARTTELOT (Sussex, N.W.): Sir, the hon. Gentleman who has just sat down has certainly put the case with excessive clearness. He said he would vote for the Instruction, for he thought it would kill the Bill. This Instruction must kill the Bill if it is carried, and therefore I am not prepared to vote for it. Yet I do not agree with my hon. Friend (Mr. Swetenham) in thinking it is the forerunner of some greater measure. I do not feel at all certain that

if this Bill is passed a great measure will be brought in. We have been expecting a great tithe measure for some time past; we were expecting it to be brought in this year; and we are gravely disappointed at the measure which is now placed before the House. No doubt the Instruction is one which we should all like to see carried, for I think the only way to calm the agitation in the country with regard to the tithe question is to have a scheme of redemption. And from the Instructions we have upon the Paper, it does appear that the House all round is of opinion that a much larger measure ought to have been introduced than the one we have now before us. What the country is looking forward to is that both sides of the question shall be fairly considered, and that the tithe-owner, and especially the tithe-payer, should receive that consideration which the altered circumstances of agriculture have made absolutely necessary at the present moment. The Government know that to accept any one of the Instructions would kill the Bill. ["No!"] Well, my hon. Friend's Instruction (Mr. Gray's) is one that would require clauses to make it workable; and are we prepared now, in the month of August, to go into the whole of those clauses to make it fair to all parties concerned? The Government are bound to declare—they ought to have declared before—whether they are prepared to receive any of these Instructions or whether they are not. They may say that they will adhere to the Bill as it stands. My right hon. Friend the Home Secretary the other night distinctly stated—and we shall hold him to his statement as strongly as we can hold a man to anything as to two things. First, that no imprisonment could take place for non-payment of tithes.

MR. MATTHEWS: Yes, that is so.

*SIR W. BARTTELOT: The second thing he stated, equally clearly and distinctly, was that this Bill would not go one inch beyond the powers contained in the Act of 1836 with regard to distraint.

MR. MATTHEWS: That is so.

*SIR W. BARTTELOT: My right hon. Friend says "that is so." Therefore we have it now that the County Court is to have no power to imprison for the non-payment of tithe, and that distraint is to be confined to those powers alone contained in the Act of 1836. Now that the House knows that, there is not so much harm in this Bill as we were led to believe. I will not go into the question of redemption, but it ought to be known that those clergymen who have glebes only and no tithes are at the present moment in a most terrible condition. But there is a much stronger case even than that. We have the case of the Bishops. The Bishops had their choice of land or money. Some took land; some money. But the moment the bad times came and their incomes from land decreased, the seven Bishops who had taken land demanded, as they were able to do, that they should give up the land and receive money. Those are absolute facts that cannot be got over. I merely mention them to show that both Bishops and clergy have declared that land does not pay, and therefore it is that any scheme which is brought forward should include a fair and reasonable proposal for redemption. It requires ample and careful consideration, and that consideration it is proposed should be given by a Joint Committee of both Houses. I would much rather the Government had considered this matter, and said that they had intended to bring in a Bill to deal with a question of this kind. Looking to all the circumstances of the case, I believe that the Government would not have introduced the Bill had they not believed that it was absolutely necessary to the maintenance of law and order. [*Laughter.*] I am sorry to say that law and order have been much at a discount, as instanced lately in the great City of Liverpool. I think we are bound to give the Government the power to maintain that law and order. Believing that the Government are not going beyond the four corners of the Bill by accepting any of the Instructions, I am prepared to support this Bill.

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I do not rise for the purpose of prolonging the Debate, but simply to answer the direct question of my hon. and learned Friend. The language of the Bill is perfectly distinct. I understood the Home Secretary to say that he considered the language distinct, and that imprisonment

for non-payment of tithe should be made absolutely impossible—

"That judgment recovered for any such sum may be executed against all personal property, on which a distress for the sum could at the date of execution be levied, but shall not be executed in any other manner."

That would absolutely exclude imprisonment, and it would also prevent the judgment being levied except on the same goods to which the distress applied. There is no doubt about it, and I am really surprised that my hon. and learned Friend, for whose opinion I have a great respect, could have come to any other conclusion. I am quite sure we shall, if necessary, accept his assistance with regard to the clause, because the intention of the Government was most clearly expressed by the Home Secretary on the Second Reading.

Mr. T. ELLIS (Merionethshire): Sir, this Instruction attempts to widen the provisions of the Bill, for the reason which the Home Secretary gave, that the question of tithe is a vexed and complicated one, only to be legislated upon after long and careful inquiry and in all its bearings. Now, in disturbing the settlement of 1836, it ought to be in the interests of all parties concerned, and not in a one-sided, irritating, and futile manner. My second reason for voting for the Instruction is, that the Home Secretary, in reply to the hon. Member for Sussex, said:—"Before you can have any redemption, you must have a fair and equitable valuation." If that is so, he deals by that argument a deadly blow at his own Bill. Until you have a thorough settlement, which would make the valuation of the tithe general, you have no right to come to this House and ask it to pass a peddling and tinkering measure. The third reason is this: My hon. Friend asks the House to deal with the question of redemption on an equitable basis. It is carried on now, first of all, on an unfair valuation of the tithe, and, secondly, upon a still unfairer application of the tithe. In any redemption scheme brought before the House, there must be kept in view, first of all, that the first charge upon the land shall be general and fair, so that there shall be no irritation; and secondly, that the application of it shall be in accordance with the desires and wishes of the people concerned. This leads me to the fourth reason why I vote for the Instruction. Let hon. Members jeer as they may, it is perfectly true that the Welsh people—at any rate, an overwhelming majority of the Liberals and the peasantry of Wales—look upon this tithe as sacred in a sense to be used for the purposes of the whole nation. If you bring forward only this small measure, which does not include an equitable settlement of the question, you will increase fourfold the irritation which exists in Wales with regard to the application of the tithe. You are only making the people more stubborn; you will make their opposition more prolonged and bitter, and you will endanger what we consider to be a national property. This opposition would become so strong and stubborn that they would come to look upon the impost as a hateful one, to be done away with, instead of a great national property which should be made available for national purposes. For these four reasons, Sir, I support the Amendment.

The House divided: — Ayes 120; Noes 138.—(Div. List, No. 296.)

Mr. C. GRAY: Mr. Speaker, the Instruction which I have to move is one which must meet really with the approval of the majority of hon. Members. We have heard among the reasons for the Bill that the clergy should be relieved from their dreadful position. I sympathise with poverty at whatever door it lies; but if I recollect the distressed condition of certain of the clergy in Wales, I must also carry my mind back to the distress which the tenant farmers have suffered during the last 12 years. If hon. Members only knew the terrible times that the tenant farmer of England has had to go through, they would surely recognise that every question which affects him is worthy the attention of the House. We have been told that certain clergymen are unable to educate their children, and have to resort to the eating of bacon. I am very sorry that such should be the case, but I know that thousands of British farmers have had to resort to fare no better than that during the past 10 or 12 years. I think the least we can do now, seeing that we have got so far along with this wretched, pitiful, and

mean Bill, is to lay the onus on the shoulders of the landlord. I would only say, in conclusion, that if it is impossible to make my Instruction apply to existing contracts, I should be inclined to accept the proposal that it should apply to future contracts. I appeal to the House to remember the tenant farmers, however anxious it may be to better the position of some of the clergy.

Motion made, and Question proposed,

"That it be an Instruction to the Committee that they have power to provide that the Charge be recoverable from the landlord only."—(*Mr. Gray.*)

MR. MATTHEWS: Sir, the Government could not accept the Instruction in the form in which it has been moved. Under this Bill the occupier of the land is to be made the defendant in legal proceedings arising out of the non-payment of tithe, because that is the only way of tying down the remedy to the same goods as could now be legally seized under distress. If the County Court proceedings are brought against the landlord directly, it would be impossible to execute a judgment upon the titheable produce upon the land. My hon. Friend seems to agree that where a tenant farmer has contracted to pay the tithe it would not be right to set the contract aside. In Committee I should be ready to propose a clause prohibiting any contracting out of the scheme of things that would exist after this Bill was passed. The tenant farmer would then be entitled, notwithstanding any contract to the contrary, to deduct from his rent any tithe paid by him. Under proceedings for the recovery of tithe rent-charge titheable goods ought only to be seized. If the landlord be made the defendant, and proceedings are taken directly against him, the remedy of the plaintiff could only be exercised by the cumbrous process of appointing a Receiver to stop the rent, or by attaching goods which are not titheable. The real purpose is through the occupier to get at the rent, and therefore at the landlord.

SIR W. HARCOURT: Sir, I think that in the last Division the House has given a very significant Instruction to the Government. This Bill has purposely been postponed to a very late period of the Session—to a period when the influence of the Government is almost supreme, and yet they have received a severe check. The County Members apparently have failed to come to town in the numbers expected by the Government. How can the County Members support the Government in the course they are pursuing? Is not this a Bill for County-Courting all the tenant farmers in England and Wales? The Home Secretary said, "We will not County Court the future tenant farmers." But the people who have to consider this question are the present tenant farmers. With respect to them there is to be no relaxation of the law, but universal County-Courting. According to the Home Secretary, the clergy must get at the landlord through the tenant farmer. Why? If the landlord is the man who is to pay ultimately, why should he not be made to pay directly? On a former occasion the Government tried to place the charge where it ought to be—upon the landlord's shoulders; but immediately there was an insurrection of the landowners, though they called themselves the farmers' friends. When the method of levying tithe was to be altered, when a new summary remedy was to be provided, the landowners in this House at once cried out, "Do not make us suffer," and the Bill was drummed out of the House. My hon. and learned Friend (Sir W. Barttelot) is a most valuable representative of the landowners, and he told the hon. Member for Maldon that his Instruction could not be listened to for a moment. No; but you are quite willing to lay a burden on the tenant farmers in the interests of the starving clergy. The Home Secretary promises that under all future contracts the tenant will be entitled to deduct the tithe from his rent; but that is no consolation to the tenant farmers who are now suffering. It has not been found difficult to relieve people in Ireland in spite of existing contracts, and the tenant farmers of England will certainly ask for equal relief. The only proper way to deal with this question will be to put the charge upon the owner of the land, and not upon the temporary occupant. It is all very well to say the tithe is only to be levied upon the produce of the land. In my opinion, the hon. and learned Gentleman opposite, the Member for Staffordshire, was perfectly right in

saying that, as your Bill stands, the tax will not fall on the produce. The Home Secretary knows perfectly well that if this Bill is not to have the operation the hon. Member for Staffordshire sketched it must be very seriously altered. I do not, however, insist on that point. I insist on the point raised by the hon. Member for Maldon, whether the County Representatives in this House who call themselves the farmers' friends and who claim to represent the tenant farmers of England are going to subject the tenant farmers to a County Court action for the first time. If that is their intention I only hope they may succeed for the present, and I am sure they will not succeed in the future. The three acres and a cow was a joke to this Tithe Bill. A more monstrous proposal I have never heard of in my life. I think some of the gentlemen on the opposite side of the House will laugh the wrong side of their mouths if this Bill passes. The Government are in the interest of the titheowner imposing an additional burden in the form of an additional remedy. They have the opportunity of choosing upon which of two parties that burden should be fastened, and they have chosen the tenant-farmer. That is their position, and I am satisfied that they should take up that position, for it will make the injustice of their claim to be the farmers' friends as conspicuous now as it has been on former occasions. For our part, we have no objection, and will be very happy to take issue with the Government upon the Amendment of the hon. Member for Maldon—an Amendment which is founded absolutely in justice and in policy—namely, that if there is to be this additional remedy, it ought to be placed upon the person to whom the rent is really owing; that is, the owner of the land on which the tithe is charged. No doubt, according to that theory, neither owner nor occupier would be liable, but the rent would. But you have chosen to say that tithe shall be treated as a debt solely leviable on the land by distress. The alteration proposed by the Bill is a very vital alteration in point of law. Agreed that the tithe is no longer a debt upon the land, but a debt recoverable by personal action, against whom is that personal action to be brought? Against the temporary occupier or the permanent owner? Gentlemen on the other side—the country gentlemen of England who call themselves the farmers' friends—say, "We won't have the action brought against us; we insist on its being brought against the temporary occupier." This is the issue that Her Majesty's Government have chosen to raise between themselves and the agricultural interest on the 12th of August. I wish them joy of their sagacity. It signifies very little what majority they may have on this Amendment. It is an Amendment on the policy and justice of which the country will have to decide.

*Sir R. WEBSTER: I think the Government can afford to pass by the judgment already pronounced by the right hon. Gentleman the Member for Derby in what he called his explanation of their sagacity; but, at any rate, as the right hon. Gentleman has thought fit to make one of those speeches with which the House is now becoming familiar, he might in fairness have considered what the real position is, and what is the change contemplated in the Bill. Of course, we know that he is only answerable for himself; but when the right hon. Gentleman professed to speak as the legitimate leader of a united Opposition, he would do well to inform himself of the position of affairs at the present time. At the present time, as the right hon. Gentleman must know perfectly well, tithe is levied by means of distress. That distress does not touch the owner, and does not enable the tithe receiver to go against the landed proprietor in the way in which the right hon. Gentleman said the only remedy ought to be a available. It is strange that it has not occurred to the right hon. Gentleman or his Party to bring in a measure which would shift the liability to be proceeded against from the tenant to the owner of the land. Let us consider for a few moments what is the position of affairs. There are a certain number of people who can pay tithe and will not pay. This Bill is not directed against the honest farmer, who knows the tithe is a legal debt, and who is willing to pay if he can, but against those persons who allege that they believe they ought not to pay tithes because, as they suggest, the purposes to which the tithe is put are not those for

for which it was orginally intended. But what is the position of the Government. Her Majesty's Government believe there is a great deal of trouble, annoyance, and expense connected with the levying of distress. It is admitted to be an obsolete, troublesome remedy which gives rise to a great deal of exasperation and feeling, and the Government are of opinion that all this may be avoided by a simpler procedure. The scope of this Bill simply is that, instead of having to resort to distress, the tithe receiver shall be allowed to sue the tenant in the County Court. The right hon. Gentleman the Member for Derby knows perfectly well that any annoyance that has to be suffered at the present time is suffered by the tenant and not by the owner. It is simply desired, in the interests of those who are anxious to protect their own property, to render the means by which the tithe can be collected cheap, effective, and simple, and free from that friction which is so annoying in connection with the present method of levying distress. If by this Bill you were to make the landlords liable to be pursued, what would be the result? Has the right hon. Gentleman forgotten that to do that would be to put an end to all existing contracts? The hon. Member for Maldon has said that if Her Majesty's Government cannot agree to the landowner being held responsible in respect of existing contracts he will accept the justice of that plea. The right hon. Gentleman the Member for Derby talks about justice and injustice; but I would like to know how he could justify a clause which would put an end to existing contracts by providing in the effect that the landowner shall pay the tithe in all instances. He knows perfectly well he could not have supported any such scheme, and he also knows perfectly well that what he denounced as a more monstrous proposal than anything he had ever heard of is simply a proposal whereby a certain number of the clergy who do not now receive their tithes are likely to get them without any additional burden being put upon the back of the tenant. I am perfectly certain that my hon. Friends behind me who are in favour of redemption are also in favour of this scheme for the purpose of putting an end to a difficult question in the interests of the tenant farmers. If the House is to be led to a conclusion, it will not be by such speeches as that we have just listened to. It will be rather by considering whether or not this Bill will remove this matter from the atmosphere of discussion, from the atmosphere of agitation, and from the atmosphere of that kind of disturbance which generally gathers round the levying of distress, by substituting for it a remedy in those cases in which it is not the tenant unable to pay who resists payment, but the tenant who can pay, but from wrong motives desires to make the collection of tithes as troublesome as possible. The Home Secretary has told the House what are the intentions of the Government, and I say it does not redound to the credit of the right hon. Gentleman the Member for Derby when he delivers speeches which do not give a fair representation of the policy of the Government or of the means by which they propose to carry it out.

*MR. H. H. FOWLER (Wolverhampton, E.): I will ask the House to consider where we are now and what the proposed alteration of the law will lead us to. The House will remember that on the Second Reading of this Bill I called the attention of the House to the words of Lord Salisbury—namely, "At the present time the tenant is subjected to inconvenience in respect of a debt that is not his own." Those were the words of Lord Salisbury, and I contend that under the existing law of this land the tenant-farmer is not legally liable for the payment of the tithe rent-charge. I say, secondly, that the owner of the land is not legally liable for the payment of tithe rent-charge; and, thirdly, that the only entity which is legally liable is the produce of the specific land from which it was raised. There is also this peculiarity in the existing law, that the legislation in 1837 did provide that when the tithe was levied on the produce the tenant, unless some contract existed to the contrary, should have the right to deduct the amount so paid from his rent. There is also this difference between tithe rent-charge and Income Tax, that whereas in the case of Income Tax the landlord and tenant are absolutely prohibited from contracting themselves out of the Act, there is no such provision in the Tithe Act. Accordingly the landowners of England have as a rule—I do

not say rightly or wrongly—contracted themselves out of the Act. They have, in fact, done what they tried to do with the income-tax until they were prevented by the Legislature. Now the Government say that the present arrangement is unsatisfactory. The Attorney General says that a large number of the clergy are deprived of their tithes. On the other hand, he says that a large number of tenant farmers will not pay though they can. So the Government propose some other remedy. What is that remedy? If the intentions of the Home Secretary are carried out—and the Opposition will do their utmost to see that they are—the only effect of the change will be to substitute the County Court bailiff for the landlord's bailiff. This is a worthless measure, so far as the clergy are concerned. But this is not the Bill as it stands at present. It goes a great deal further and imposes a new liability on the tenant, and the Attorney General defends it because he says the tenant can pay and will not pay, and the Government will make him pay. That, of course, means that the Government cannot now make the tenant pay, but will do so by the present Bill. As the hon. Member for Essex says, the Bill is going to make somebody personally liable who was not personally liable before. Accordingly, the hon. Member is moving an Instruction to make that somebody the owner of the land. The Government decline to accept that Instruction, on the ground that though so far as future contracts are concerned the landlord ought to be made liable, this principle cannot be applied to present contracts. But the Instruction itself does not say that in every case the landlord shall be liable. The Committee will take care that no injustice was done, and this Instruction provides that when we get the Bill into Committee we shall have power to deal with the chargeability of landlords in respect of this tax. It will then be possible to limit the remedy in any way that may seem desirable. The tenant farmer has a right to say—"If you impose this new personal burden you must consider my case as well as that of the tithe owner." You cannot shut your eyes to the real grievances of the tenant farmer—the unfairness of the mode of assessment; the unfairness of averages; the amount required to pay for the produce of a farm taken at a price which cannot be obtained. I see no reason why the Instruction should not be accepted. The Government is imposing a new liability; but those who oppose the Bill are quite content to go on as now. If the tenant is left alone we have nothing to say in the matter. But if the Government are going to interfere with the tenant then we claim an equal right to interfere with the landlords.

Mr. H. WIGGIN (Staffordshire, Handsworth): I have travelled 100 miles to oppose this Bill as strongly as possible. As a loyal supporter of the Government, I deeply regret that they have not seen their way to withdraw this Bill and bring in a stronger measure next Session dealing with the whole question, including the redemption of the tithe. The redemption of the tithe would relieve both landlord and tenant of an unpleasant burden. If the last Division had been delayed a few minutes the majority of the Government would have been reduced by six or seven, and the next Division may have a very different result. I do implore the Government to drop the measure this Session and deal with the question next year, so as to give permanent relief both to landlord and to tenant.

Mr. A. F. JEFFREYS (Hants, Basingstoke): I quite agree that the landlord ought to be made responsible, and that was no doubt the intention of the Act of 1836, but if you do make the landlords responsible, I do not know how you can come down on his personal property in the event of non-payment of the tithe, unless you put in clauses to provide for that, and that course of procedure might lead to the loss of the Bill. I do not think much of the Bill, and if we allow the Bill to pass I trust that the Government will promise to bring in a Bill making the landlord properly responsible. At the same time, I hope a Bill will soon be introduced for the redemption of the tithe, which is the only way out of the difficulty.

Mr. W. RATHBONE (Carnarvonshire, Arfon): As I understand it, the Home Secretary engages to introduce a clause into the Bill which will make it impossible in the future for the landlords to contract themselves out of the payment of the tithe. Now, I wish to

ask the Attorney General what will be the effect if the promise of the Home Secretary is carried out in the case of tenancies which are from year to year? A great part of the land of the country is held on yearly tenancy.

*SIR R. WEBSTER: It would be at the option of the tenant to give six months' notice in order to obtain more favourable terms from the landlord.

*MR. HOBHOUSE (Somerset, E.): I wish to say a few words in support of the Instruction, as I have an Amendment on the Paper which cannot be moved unless the Instruction, or something like it, is carried. I am anxious for a speedy and satisfactory settlement of this question. It has been generally admitted that the only practical remedy short of general redemption is to make the tithe recoverable from the landlord. Many of those who, like myself, take this view object to the Bill because it is a step in the wrong direction, and, if passed, will be an obstacle to future settlement. Two years ago the Government themselves passed through the House of Lords a Bill making the charge recoverable from the landlord. Even in last year's Bill they recognised the principle which is contained in the Tithe Commutation Act—namely, that the tithe was to be payable directly or indirectly by the landlord. We know that under the Tithe Commutation Act landlords and tenants began by very generally contracting themselves out of the terms of that Act. But I believe that in recent years in many parts of the country, including certain portions of Wales, there has been an alteration in this system, and that there is now a growing practice on the part of the more sensible and liberal landowners to pay the tithe themselves. I feel certain that if this measure is passed as it stands it will do a great deal to discourage this growing and salutary practice. Again, I feel certain that this measure will tend to postpone the settlement of the question by future legislation. It is not merely that this measure, though a partial and tentative measure, tends to take away the pressure of responsibility from the shoulders of the Government to deal satisfactorily and completely with the subject; but it is that this measure, whatever be its exact extent, places a new liability on the shoulders of the occupier of the land; and I cannot believe that the present Government, after legislating in this direction this year, will next year be prepared to legislate in what is practically a contrary direction, that is to say, propose to settle the tithe question by placing a new liability on the shoulders of the owner of the land. I firmly believe the passing of this Bill will tend to delay the eventual settlement of the question, and not only that, but that it will also tend to discourage redemption.

*MR. SPEAKER: I think it right to remind the hon. Gentleman that the Instruction relates to the recovery of the tithe from the landowner.

*MR. HOBHOUSE: I beg pardon for trespassing beyond the limits of the discussion. I am quite content to leave my argument as it stands—namely, that it is better for all parties that if any change is to be made in the mode of recovering tithe the tithe should be recoverable from the landowner, and not from the occupier of the land, with due regard, of course, to existing contracts.

*MR. ROUND (Essex, N.E, Harwich): Two of the Representatives of the County of Essex have taken a prominent part in moving Instructions to the Committee, and I confess I feel some difficulty upon the present occasion. I agreed in principle with the hon. Member for Saffron Walden that there should be some scheme for redemption of the tithe rent-charge, and I also agree with my hon. Friend the Member for Maldon that the burden of the tithe should be placed on the landowner. But I also wish to see this Bill passed. [*Cries of* "Why?"] Because I think the Government would be wanting in their duty if they did not endeavour to secure the payment of just debts to the owners of property in Wales. The incidence of tithe is a landowner's question, and it quite true that landlords have contracted themselves out of the Act of 1836 by agreements with their tenants. A change in the law to prevent this for the future is now proposed by the Government. I am perfectly willing to see tithe placed in the same position that Income Tax is placed at the present moment—namely, that the tenant, having paid the tithe, should be able to deduct it from his rent to

the landlord; and I believe if that were done—and I understand the Home Secretary undertakes to carry that object into effect by clauses introduced in Committee—we should hear no more of the tithe difficulty. On this understanding I shall support the Government on the present occasion.

*Mr. T. ELLIS: I desire to call the attention of the House to the declaration of the last speaker. He wishes to throw to the winds every declaration he has made in favour of redemption, and of putting the tithe on the landowner; in fact, he desires to break all his pledges to his constituents in order to strike a blow at the peasantry of Wales. That is the key and the clue to most of the arguments advanced from the opposite Benches. The Government, by bringing forward this Bill, propose to change the whole spirit and procedure and method of the Act of 1836; instead of making tithe a tax upon the produce of the land, they make it a personal debt upon the tenant. That is straight against the declaration of the Prime Minister, and straight against the wishes of their friends. I hope the hon. Member for Maldon (Mr. Gray) and his supporters, will not run away from their own declarations and their own Amendment, but allow the Government to act on the policy of scuttle, which is the chief characteristic of their present policy. The Prime Minister stated, in 1887, that, "tithe is a debt of the owner in respect of the produce of the land," and in 1888 he said "the occupier is not a debtor, and he is to suffer the inconvenience of a distraint for a debt which is not his own;" not merely is he to suffer the inconvenience of a debt which is not his own, but he is now to suffer all the pains and penalties of the County Court, and the distraint which will come from the Court, and all the heavy expenses, and, in the bargain, if he refuses compliance, he is to be gazetted as an ordinary debtor under the rules of the County Court. The Prime Minister paid us a compliment; he came down to Carnarvon to teach the Welsh people their duty with respect to tithe. He said:—

"I wish to ask those who are desirous of considering this question impartially to remember that tithe is really a burden, not upon the tenant, but upon the landowner, and if the tenant has been obliged to pay, it has been owing to a blunder in the law."

And now you wish to stereotype this blunder in the law. The noble Marquess added—

"We are anxious to pass a measure which shall place it on the shoulder of the debtor, that is to say, on the landowner."

That is, that the landowner who owes the tithe shall be the man to pay. The Government by refusing to accept the Instruction moved by the hon. Member for Maldon are running away and scuttling from the declaration of the Prime Minister. It seems, too, that they are running away from the wishes of their friends, the Welsh clergy. The Welsh clergy have sent to the Government from time to time very strong and urgent representations that the majority of them are starving, that is to say, the clergy of the richest church in Christendom are starving. They say, "We want two great amendments in the law: first of all, we want tithe to be a debt recoverable through the County Court; and, secondly, we want to make the true debtors pay—namely, the landlords." The Government are trying to please their friends, and at the same time to break the spirit of the Act of 1836. They want to put the pains and penalties upon the occupiers, and at the same time to let the real debtors go free. The Government themselves brought in two Bills in the House of Lords, one of the chief provisions of each being that the debt should be put on the landowners. I admit that very many of the Members for Wales were against putting the debt upon the landlords, and for the reason that we desire to have a complete settlement of this question and not a tinkering settlement. I maintain that this is a dishonest attempt to settle this question by merely evading it. There is a further reason why I ask my hon. Friends to stick to their guns. In Wales the clergy are the chaplains of the landlords and not of the people. Let the landlords pay for their own chaplains.

*The FIRST LORD OF THE TREASURY (Mr. W. H. Smith, Strand, Westminster): The hon. Gentleman appears to be under the impression that the Government are not true to the principles which they have already announced in another place. Only a few minutes ago my right hon. Friend distinctly stated that the Government accept the principle that in the future there shall be no contracting out

of the Act as it stands. That is to say, that neither the landlords nor the tenants shall be at liberty to contract themselves out of the Act of 1837, and that the liability shall rest in all cases of new contract with the landlord alone. The Government propose to insert in the Bill a clause to the effect that Clause 80 of the Act of 1837, which prescribes that the tenant shall be entitled to deduct the tithe from his rent, shall have full effect notwithstanding any contract made after the passing of this Act, and every contract made after the passing of the Act shall, so far as it is to the contrary, be void. That clause will entitle every tenant to deduct on all fresh contracts the tithe from his rent. But what my hon. Friend proposes is that the tenant who has contracted to pay the tithe, notwithstanding the consideration which he has received in the rent which was fixed by the landlord, shall be entitled to deduct the tithe from the rent. That appears to the Government to be simple dishonesty. What we say is, that in future contracts the tenants and the landlords shall not contract themselves out of the Act of 1837. We propose that that shall be the law of the land as to tithe, as it is the law of the land as to the Income Tax.

MR. HANDEL COSSHAM (Bristol, E.): Let me call the right hon. Gentleman's attention to the fact that, under the Act of 1836, it is the duty of the landlord to pay the tithe. But they have not done so. When the right hon. Gentleman talks of dishonesty, I think he should put the saddle on the right horse. Dishonesty is on the side of the landlords, and not on the side of the tenants. We are having a very fine object lesson to-night. We shall see who are the real friends of the farmers. Those who are anxious to be the farmers' friends will vote in favour of putting this burden on the landowners.

MR. GRAY: With the permission of the House I should like to ask the First Lord of the Treasury a question. It is, what will be done in the case of the rent not being sufficient to cover the tithe—how in that case will the tenant be able to deduct the tithe from the rent?

*MR. W. H. SMITH: That difficulty occurs now. If the tithe is not earned and produced by the land it is not payable.

*SIR W. BARTTELOT: The right hon. Gentleman the Member for Derby (Sir W. Harcourt) stated just now that I, addressing the Home Secretary, said "We will hold you to the bargain—namely, that the landlords are not to pay, but the tenants are to pay." I never said anything of the kind. The House will bear witness as to what I said. I said to the Government "We will hold you to the bargain with respect to imprisonment, and the distraint upon the land." I am quite sure the right hon. Gentleman is not anxious to make a statement that is not correct.

SIR W. HARCOURT: What I referred to was the hon. and gallant Baronet's emphatic statement that he held the Government to the declaration that they would oppose all Instructions. He will remember he called upon the Government to reject all Instructions, and he cited specially the Instruction of the hon. Member for Malden.

*SIR W. BARTTELOT: My remark had reference to those two particular questions. I happen to have 24 or 25 farms, and I have paid tithe in respect of 21 of them. Two of the remaining three or four are held by men who do not wish to have the tithe paid for them.

*MR. H. H. FOWLER: May I ask you, Sir, whether it would be competent for the First Lord of the Treasury to move the new clause he has just read, if the House rejects the present Instruction?

*MR. W. H. SMITH: On the point of order, may I point out that the Instruction is that tithe is to be recoverable from the landlord only.

*MR. SPEAKER: The point is one for the Chairman of Committees to decide. I imagine, however, that if the Chairman of Committees is of opinion that the clause could not be inserted in Committee, the Bill could be re-committed for the purpose of inserting it.

MR. SALT (Stafford): It seems to me that the difference between the Government and the hon. Member for Malden is very small indeed. Could we not put the Instruction in such a form that the Government could accept it? The hon. Member proposed that the tithe rent recoverable should be thrown on the landlord. I am certain five-sixths of the Members of the House wish that that should be so. The only question is can it be done subject to existing contracts. It appears to me obvious that

any provision to this effect which is inserted in the Bill must be subject to existing contracts.

MR. COURTNEY (Cornwall, Bodmin): I am not quite sure that the mind of the House is clear about this Instruction. There are two words in the Instruction which appear to me very significant — the word "recoverable" and the word "only," and if the Instruction is carried the principle will be laid down that the Committee would have power to provide that the recovery of the tithe, that is the getting of the tithe, is to be instituted against the landlord and against him alone. I do not think that in consequence of an Instruction of this kind the Committee would be at all precluded from safeguarding any rights under existing contracts. What I understand is suggested by the Home Secretary is that he will put in the Bill a clause providing that though the process of recovery given by the Bill is against the tenant, the tenant shall always have power to deduct the tithe from the rent. That is a very different thing to recovery from the landlord. I wish to draw a distinction between the two processes, and I must own it does occur to me there are cases in which the rent is not equal to the tithe.

The House divided: — Ayes 141; Noes 145.—(Div. List, No. 297.)

MR. ARTHUR WILLIAMS (Glamorgan, S.): I have now to move—

"That it be an instruction to the Committee that they have power to insert clauses providing for a re-adjustment of the method for taking the tithe rent-charge averages."

I will endeavour to remember the necessary limitations imposed upon us at this stage, and avoid anything that can be construed into a Second Reading Debate, but it is absolutely impossible to bring before the House the arguments in favour of a re-adjustment of the method of taking tithe averages without, to a certain extent, dealing historically with the whole question. In the first place I would remind the House that in 1836, there was what was considered a statutory settlement of the question of the tithe-charge, its incidence and adjustment from time to time. Lord John Russell, in his speech on the Second Reading of the Bill of 1836, spoke of it as a permanent settlement for all future time. But that distinguished statesman once or twice made great mistakes in his use of the word finality. At all events the Government of to-day have for the first time—except in some trifling matters of procedure—re-opened the whole question, and that in the interest of one party, only the clergy. They have in fact brought in a Clergy Tithe Relief Bill. I am showing the ground for my Instruction, when I say that gives a claim to all concerned to come into this High Court and ask that their just claims shall be considered. In moving this Instruction, I will venture to say, I do so in the interest of the whole of the tenant farmers of the kingdom, though personally and peculiarly on this occasion I represent the Principality of Wales. Still it touches the whole of the great agricultural community to whom the tillage of the soil of the kingdom is entrusted. Speaking on a previous instruction, the Attorney General said this Bill provides a remedy in the matter of procedure at once cheap, easy, and effective, while it would impose no additional burdens. We dispute this altogether. There is every reason to fear that it will be neither cheap nor easy, and I will venture to prophecy it will not be effective, while it certainly will impose very heavy additional burdens. So I say on behalf of the tenant farmers of Wales, and I might say so on behalf of the tenant farmers of the whole kingdom, that if you are going to make this a primary objection on every tenant farmer throughout the kingdom, making the tenant liable to County Court process with all its incident expenses, surely the tenant farmers have a right to come here and demand a fair adjustment of the burden. They say relieve us from what is admitted on all hands to be an imposition according to the present method of adjustment which, in the present condition of things, works great hardship on the tenant farmers in hundreds and thousands of cases. Before I go to instances of this, let me draw attention to the present condition of the agricultural tenants, especially in Wales. The Attorney General has repeated what I do not hesitate to call an unjust aspersion on my fellow countrymen. He said that the Bill, which he described as cheap, easy, and effective, was intended only—

and here he was indicating my fellow countrymen—to apply to those who were able to pay, but who pretend that they object to pay on conscientious grounds; and, again, he alluded to those who refused to pay from motives not creditable. I repudiate that as unjust in the last degree. I repeat what I have already said, that there are no people in the kingdom more willing to pay just tithes for a just purpose than the Welsh people. There is nothing more unjust than to say that they wish to evade their proper payment. What they do say is that whether they are taken into the County Courts or not, and subjected to additional expense, will not matter a pin as to the ultimate result. Let us, they say, have a fair re-adjustment of the incidence of the tax. They say they consider this a national property——

*MR. SPEAKER: I must remind the hon. Member this is not a Second Reading Debate. I understand that he proposes to move an Instruction as to the method of calculating the averages.

MR. ARTHUR WILLIAMS: I quite feel the justice of your observation, Sir, but I venture to think that under the circumstances I am not unduly travelling beyond the scope of the Instruction. [*Cries of* "Order!"]

*MR. SPEAKER: The hon. Member will not be in order in discussing the general question, he must confine himself to the specific Instruction.

MR. ARTHUR WILLIAMS: Perfectly so, Sir; I was only pointing out why I suggest a re-adjustment by indicating the exact position of the tenant farmer, and until I am able to point out the position of the tenant farmer under the new conditions of the Bill, I venture to submit, with the greatest respect, that it is impossible for me to say why the re-adjustment ought to come.

*MR. SPEAKER: The hon. Member will not be in order in discussing the Bill generally.

MR. ARTHUR WILLIAMS: Then, Sir, to what extent may I be allowed to put before the House the grounds for re-adjustment? I am proposing at once to deal with the nature of the incidence of the tax under the existing law. As the House is no doubt aware the present incidence of the tax——

*MR. SPEAKER: Order, order! The incidence of the tax has nothing to do with the question. The House has discussed that, and has now to deal with a specific Instruction to the Committee.

MR. ARTHUR WILLIAMS: I express myself I am afraid awkwardly, Sir. I may point out that the method of adjusting the tithe as based on a seven years' average was fixed in the Act of 1836. In that year the price was taken of the three staple products wheat, barley and oats, and, according to the then calculation, it was estimated that dividing £100 into equal proportions of £33 6s. 8d., that 94 bushels of wheat, 168 bushels of barley and 242 bushels of oats could be purchased for £33 6s. 8d. This was the process which was considered to be a permanent settlement in 1836. I will give a few instances of how this operates. We take the year 1886, which is the last year for which details are available, and we find that the tenant for every £100 he paid in 1836 would pay £87 in 1886—a very large reduction no doubt, and it will be said the average must consequently be a fair one. But I think nobody who has studied the subject at all, and certainly no agricultural tenant who has had to go into the matter, can fail to see that this very unfairly represents the effect of the agricultural depression throughout the kingdom. Instead of a reduction of 13 per cent the reduction should have been 20, 30, and even 50 per cent. It was very well put by a writer in the *Quarterly Review* for 1888, who dealt with the subject in a broad and comprehensive way, though not so liberally as I should like; the article was evidently written by a Churchman. The writer stated that so long as the tenant occupied the land for a short term or from year to year, and the average was calculated on the longer period, the tenant was unfairly treated. The writer goes on to indicate the methods by which reductions might be made gradually with comparatively small loss to the tithe owners, but with these I need not trouble the House. Of course it is not my business here, and it would be presumptuous on my part, to lay down any detailed bases of re-adjustment. All I want to do is to ask the House to tell the Committee that some new method of payment by the tenant farmer is necessary. It is clear the seven years' average has not brought down the tithe

rent-charge to anything like the proportion of the reductions of rent throughout the kingdom. If it were so the reduction for 1886 would be 25 per cent, and the figure would stand at £75 instead of £87 10s. Surely it would be reasonable to adjust payment on the basis of the previous year's prices, and that would be coming within a reasonable distance of the reductions made in consequence of the agricultural depression. Now, even if we took the previous year's prices as a basis of re-adjustment, what does the House think would be the immediate result to the tenant farmers of the whole kingdom? Why, it would relieve them to the extent of £500.000 a year. If in 1887 the tithe payer—the tenant farmer—had been dealt with on the principle I am explaining, he would have paid £500,000 less to the parochial clergy. Conceive what an enormous saving that would be to the struggling tenant; and, coming to my native country, if that re-adjustment were made to-morrow on the basis of the prices of 1887, the tenant farmer in Wales would be relieved to the extent of £35,000 a year. Only those who know the small peasantry of Merionethshire or Montgomeryshire, and of the North of Wales, only those who know how small are the holdings of these people, and how poorly they live, can appreciate how great a blessing that relief of £35,000 a year would be. I shall be told that this reduction would be a great hardship on the rural clergy. I quite feel the hardship of the case of the small rural clergy, particularly in Wales. There is no doubt that their struggle is a hard one. About a year ago there were some letters in the *Guardian* newspaper, written by Mr. Protheroe, who gave rather exaggerated accounts of the difficulties which agricultural depression has produced on the rural clergy. In the Midlands, where the clergy have exchanged their tithes for land, most disastrous consequences have followed. Owing to the depression of the past 12 years, rents have fallen 23 to 50 per cent. Mr. Protheroe says—

"The clergy feel the pinch of poverty, not, perhaps, in its acutest form of absolute starvation, but in the loss of these, so called, comforts, or luxuries, which, to people in their position, are so necessary."

He goes on to say that he knows glebe owners, who, but for the assistance of their friends, would have been literally, and without metaphor, starving. No doubt these are very hard and sad cases, and, of course, they are worthy of the consideration of those who belong to the same faith, and who have wealth and means, and who come forward at times with friendly assistance to save the poor clergy from absolute destitution; but I have another client whom I am bound to represent. I sympathise with the poor clergymen when this time of depression comes on; but there are others, and a larger number, for whom I must plead, who are even more terribly affected by agricultural depression. I refer to the small tenant farmers who have had a small capital which has gradually become exhausted; who have been paying tithes which, if they had been fairly adjusted, having regard to the condition of agriculture, would have been 20 or 25 per cent less. These people are entitled to the sympathy of the House and to our legislative interference, if we are to interfere at all. That is my case for the tenant farmers. I say it is only justice and common fairness that when you begin breaking a contract in favour of one class, you should break it also in favour of the other. I regret to see in a circular issued from a palace in North Wales, and written to urge the passing of this Bill, the statement that if it does not pass it will mean the simple starvation of a large number of the Welsh clergy. I say if we pass this Bill without re-adjustment it will mean simply the starvation of many tenants, who will be deprived not of the luxuries but of the necessaries of life—of butter, bread, and cheese, for that is what they have been living on. I read with pain the words written by a Bishop of the richest religious body in the whole world. I say it is not fair.

*Mr. SPEAKER: The hon. Member is not touching on the question before the House.

Mr. ARTHUR WILLIAMS: I beg pardon. I fear I have been carried away by my feelings, but I submit I received some provocation from the Attorney General. I will conclude by strongly urging the House not to disregard the appeal I make on behalf of the tenant farmers throughout the kingdom.

Motion made, and Question proposed, "That it be an Instruction to the Committee that they have power to insert clauses providing for a re-adjustment of the method for taking the Tithe Rent-Charge averages."—(*Mr. Arthur Williams.*)

*SIR R. WEBSTER: I will only detain the House for a few moments. The hon. Member has come down with what was apparently a set speech and has thought fit to put words into my mouth which I never used. I said not one single word about Wales. I never referred to Wales. I referred to those who were able to pay tithes and would not.

MR. ARTHUR WILLIAMS: I took the hon. and learned Gentleman's words down at the moment—"those who are able to pay but who refuse to pay on conscientious grounds from motives not the most creditable."

*SIR R. WEBSTER: I never referred to Wales directly or indirectly. The hon. Member says I referred to his own constituency, but I did nothing of the kind. As to the question of averages raised by the hon. Member, no one denies that the matter is one which should be inquired into, but the hon. Member has quite forgotten that when it was the interest of those who pay tithes to go by the seven years' average—when they were in the full swing of paying far less than if the last year's prices were taken—they said not a word—I do not complain of their conduct—to the effect that they are anxious for a reassessment. They wait until they feel the pinch before they cry out. I am not in the least suggesting or advocating seven years. I take it that the House has not got the materials before it on which it can decide whether it shall be three years or one year or more. The scale we now have has practically worked for 50 years, and it is only now hon. Members find it is working hardship. Does the hon. Member suggest that this House will, without much further inquiry and much greater knowledge of what is best, alter the old scale? The hon. Member does not make a single suggestion except that last year's average should be taken, and yet he knows as well as I do that some people recommend that a three years' average shall be taken, and other people recommend different systems. Surely he should have been prepared with the details of a practical suggestion. It would be unfair to the House to enter into the topics with which the hon. Member has adorned his speech. He has merely complained that the tenants object to seven years' averages. The Government know that this matter should be inquired into, but it would be utterly impossible in the scope of this discussion to determine what system should be substituted for the present. They do not consider themselves expressing an opinion in favour of the existing system, and they must be understood as declining to pledge themselves as to what they think would be the proper method. I do not think, under these circumstances, the discussion can lead to any useful result.

*MR. S. SMITH (Flintshire): I rise to support the Instruction moved by my hon. friend the Member for South Glamorgan. I support it on the ground of simple justice. The arguments used by my hon. Friend are simply unanswerable. He demonstrated how very unjustly the seven years' averages have operated on the tithe payers for the last few years. Every hon. Member knows that during the last seven years prices of cereal produce have continually declined, wheat having gone down from 50s. a quarter to 28s. or 29s., and it is therefore hardly necessary to point out how cruelly this has operated upon a peasantry who have to pay tithes 20 per cent above the prices they can obtain for their produce. The experience of my own constituency has brought most forcibly to my mind the injustice, I might almost say cruelty, of the seven years' average; and mine is a typical Welsh constituency. It is composed mainly of small farmers, who are extremely poor and hard working. If the tithe rent-charge had been struck upon the average of the prices of the last two or three years, the amount payable would have been about £70, and not £87 10s. By passing this Bill we shall rivet the fetters of tithe upon the Welsh peasantry without granting them relief by placing the tithe on a more equitable footing, and we shall thereby, I may say, add insult to injury, and at any rate be perpetuating a great wrong. It was quite a revelation to me, when I first became a Welsh Representative, to discover the extreme poverty of the agricultural class in the Principality, and if hon. Mem-

bers knew the extent of it they would more fully feel the force of this Instruction. These small farmers live on the hardest fare, do all the work of the farm with their own hands, and earn less than an ordinary labourer. Some of them are so poor that they do not taste butter from year's end to year's end. You can imagine the feeling of injustice and soreness that is created when a struggling peasantry under these circumstances have to pay year after year tithe rent at the rate of £87 10s. or £90 when the produce only yields an average of £70 or £75—paying it all the while to a Church to which they do not belong and never enter. A great portion of the resistance of the people of Wales to the payment of tithe has arisen from the fact that the seven years' average has made farmers liable to pay a much higher rate than the prices of produce justified. They have asked for reductions of only 10 or 15 per cent when the tithe was 20 per cent above the current prices. It is not from any spirit of contumaciousness that there has been unwillingness, but it is from a deep instinct of right and wrong which lies at the bottom of the hearts of the human race. I wholly distrust the assurances of the Government that a large and comprehensive measure will be introduced next Session. The Government, I have no doubt, honestly mean what they say, but all are aware of the exigencies of political life and the demands that are always being made on the time of Governments; and I should be very greatly astonished if the Government, having passed this short Bill for the easy recovery of the tithes, burdened themselves next Session with a large measure. It, therefore, becomes the duty of the House to take securities that they will not let this Bill pass without provision being made for the equitable incidence of tithes. I hope the Government will not only yield upon this point, but will see their way to-night, or at a very early date, to withdraw altogether this most obnoxious Bill.

*MR. BYRON REED (Bradford, E.): I differ from my hon Friend (Mr. S. Smith) and the Mover of the Instruction—firstly, upon the general ground that I am very anxious to see this Bill become law. I cannot help thinking we should be much better employed in proceeding at once to thresh out the details of the Bill in Committee with a view to making the verbal alterations which hon. Members may think necessary, and the Government may be prepared to adopt, than in taking up time in the discussion of proposals which the Government and the friends of the Bill will of necessity feel themselves compelled to resist. The hon. Member for Glamorgan spoke of the Bill as it stands breaking the existing contract as between the tithe owner and the tithe payer. It appears to me that that argument was traversed in the preceding portion of the Debate by the Home Secretary when he pointed out that all the present Bill proposed to do was to expedite the means of recovering rather than to put the tithe-payer in any worse position as regards his liability than he occupies already. When the hon. Gentleman the Member for Glamorgan spoke of breaking contracts, he used words which, however high sounding, are, I think, inapplicable to the present position of affairs. The hon. Member for Flintshire spoke of the septennial average which was settled by the Tithe Commutation Act as an unfair average, at any rate during the last few years, and the hon. Gentleman strengthened that position by referring to the terrible agricultural depression which has made not only tithe, but rent, and rates, and taxes, a grievous burden to be borne by the struggling agricultural tenant. Therein I agree with the hon. Gentleman, and no Member of the House feels deeper sympathy with the tenant farmers of England and Wales than myself. But a contract is a contract, an agreement is an agreement, and a bargain is a bargain. The settlement arrived at 50 years ago by which a septennial system of averages was established was held to be peculiarly advantageous to the tithe payer, and very much to the detriment of the tithe owner. It is true times have changed since then; but, manifestly, if the tithe payer received the benefit of the arrangement when agriculture was in a prosperous condition, he must be prepared to take the rough with the smooth, and to adhere to the arrangement, even though it be to his disadvantage, when agriculture is in a depressed state. No doubt there is plenty of justification for a revision of the present system, and the Government

have promised such revision. I, for one, shall be quite prepared to give whatever assistance I can to hon. Gentlemen opposite, in another Session of Parliament, to bring about a thorough revision of the present incidence of tithe. If it can be shown — as no doubt it can — that the septennial system, however favourable to the tenant some 50 years ago, is unfavourable to-day, hon. Members on this side of the House, as well as opposite, will, I am sure, be willing to take measures to bring about a revision of that state of things; but for the Government to accept this Instruction would be not only to jeopardise but to kill the Bill, and so deprive the struggling tithe owners of that protection and remedy which the circumstances of their case most urgently demand, and which, I venture to think, it is the business of the Government and this House to supply. The hon. Member for Flintshire spoke of the present Bill as riveting the fetters to the tithe payers of Wales, and implied that tithe payment was in the nature of bonds and fetters to the Welsh agriculturalist. Well, that may be a very good argument for the abolition of tithe altogether, but I have yet to learn that hon. Members on the other side of the House who represent Welsh constituencies are disposed to accept any such settlement of the question. On the contrary, the hon. Member for Montgomeryshire at an earlier stage of the Debate declared that tithe was nowhere more respected than in Wales, for the reason that the people consider that it belongs to them.

*MR. STUART RENDEL: What I said was that tithe, as a property, was no more respected anywhere than in Wales.

*MR. BYRON REED: I do not think I did injustice to the hon. Member in what I said. The hon. Member said the Welsh people regard the tithe as their property, and that the grievance of the Welsh tithe payer is not to tithe *per se*, but to its application.

*MR. SPEAKER: The hon. Member is straying from the Instruction which relates to tithe averages.

*MR. BYRON REED: I bow to your ruling, Sir, and beg pardon for having strayed; but you will recognise the difficulty of keeping closely to each separate Instruction when it comes before us. These arguments which come from the other side, if they mean anything at all, mean that tithe should be abolished altogether. If the farmers of Wales are too necessitous to pay tithes, it matters not whether they have to pay them to the Church, to colleges or schools, to the Ecclesiastical Commissioners, or to lay impropriators. It is equally impossible to pay, whatever the purpose to which the money is to be applied. The hon. Member for Flintshire, in his concluding sentences, spoke in terms of commiseration of the poor farmer called on to pay tithe for a church he never enters. I would venture, with all deference, to point out that the question of Church attendance has nothing to do with the general principle before us, and still less with this particular Instruction. For the Welsh tenant to object to pay tithe on the ground that he does not go to church is as unreasonable as it would be for me to refuse to pay my butcher's bill because I differ from my butcher's religious or political opinions. ["Order, order!"] I will, however, refrain from running further risk of trenching upon the rules you, Sir, have laid down. I will merely again express a hope that the Government will not accept this Instruction, or any other Instruction which would jeopardise the Bill, and that in Committee they will not assent to any Amendment which will alter the scope or spirit of the measure.

The House divided:—Ayes 109; Noes 123.—(Div. List, No. 298.)

*MR. SPEAKER: The next Amendment is in the name of the hon. Member for the Ashburton Division of Devonshire (Mr. Seale-Hayne), and it is in these words:—

"That it be an instruction to the Committee that they have power to provide for the equitable incidence of tithe."

This subject has been largely discussed under the previous Motions. I asked the hon. Gentleman what was the meaning of "equitable incidence," and he told me his meaning was that the tithe should not fall on those who object to its application—that is to say on those who think it should not go to the Established Church. I pointed out to him privately—and I now state it publicly—that the question involved does not come within the scope of the Bill but that a separate Bill would be required to deal with it.

It could not be brought within the reach of the Bill by an Instruction.

*Mr. T. ELLIS: On the point of order. It is a fact that many districts or parts of districts are free from tithe altogether. I think my hon. Friend, and certainly many Members of this House, are of opinion that all land should pay a certain amount of tithe——

*Mr. SPEAKER: Order, order! I do not think the hon. Member has improved the matter by argument.

*Mr. G. O. MORGAN: I beg now to move—

"That it be an instruction to the Committee that they have power to review and revise the settlement made by the Act passed in the sixth and seventh years of his late Majesty King William IV., entitled 'An Act for the Commutation of Tithes in England and Wales,' and the Acts amending the same."

This is of a more comprehensive character than any of the Instructions which have preceded it as it embraces nearly all of them, and I think I may go as far as to say that all hon. Members who have supported other Instructions will vote for this. The hon. Member who last spoke urged the House to reject the last Instruction on the ground that its adoption would prove fatal to the Bill. Well, I take the liberty to ask the House to agree to my Instruction for that very reason. I think that after the note of warning the Government have had, their majority having fallen in one Division as low as four, it must be evident to them by this time that the Bill is unpopular, even among their own supporters. It is certainly most unpopular in my part of the country, and the Government have selected a very unpropitious time to bring it forward, just when Her Majesty is about to pay a visit to Wales. [*Cries of* "Oh!"] Yes, no one regrets it more than I do, but I fear that the Government are in a fair way to make one of the most loyal parts of the country disloyal. It is agreed on all hands that the Act of 1836 was a settlement. That settlement has lasted a long time—over 50 years—and if it is now to be revised let the revision be fair to both sides. Lord Salisbury told a deputation not very long ago that the Act of 1836 was a sacred covenant, binding for all time, which it would be dishonest to break. But the Government are breaking it now, and what is worse, they are doing so in the interests of the tithe owner only. What will the Bill do for the tithe payer? It will expose him to the costs and trouble of County Court process, and give him no relief whatever. The Home Secretary says the process will not involve imprisonment, but I do not know how he proposes to prevent that. The right of bringing the tithe payer before a Court in a town where there is sure to be a deal of excitement and agitation is certainly not a thing that a clergyman would covet. But what I want to show is that this Bill gives a distinct additional collateral remedy to the tithe receiver without conferring any sort of advantage on the tithe payer. The Act of 1836 provides that "nothing herein contained shall be taken to render any person personally liable for the payment of the rent charge." Up to the present time tithe is not a personal debt, it never was a personal debt, or even a charge on the land. It is a charge on the produce of the land, and, therefore, if there is no produce no tithe is payable. Of course, in accordance with that general and sound principle, the amount payable for the tithe was regulated with reference to the value of the produce. The Act of 1836 made the charge a money charge on the producer, but it made the money charge depend on the value of the produce. The whole principle running through all the legislation up to the present time has been that the tithe has been a charge on the produce, and that the amount of the charge is regulated by the value of the produce. Now, however, you are introducing an entirely new principle into the law of tithe. The object of the Bill has been said to be to change the mode of recovery. That is not so, because you are not only changing the mode of recovery, but changing the nature of the debt. You are making it a charge not upon produce, but upon the real and personal estate of the debtor. The result is that you are placing a very much heavier burden on the tithe payer. Therefore this is an entirely one-sided measure. You give this additional remedy, and you create this non-existing debt against the debtor, if so he can be called, but you do nothing for the debtor. I credit hon. Gentlemen opposite with being the farmers' friends as much as

we are, and I want them to look at the facts of the case. What is the time the Government are choosing for imposing this additional burden on the tithe payer? I suppose there never was a time in the history of agricultural depression when the price of corn fell so low as during the last 12 or 13 years. And this is the time you, the avowed friends of the farmers—the men who are constantly parading your sympathy for the farming interest—choose to impose this heavy additional taxation on the farmer without giving him anything whatever to make up for it. There are plenty of farms which cannot be let at any price whatever. Let me read the House part of an interesting letter which appeared in the *Times* of to-day, from Mr. Everitt, who is a tenant farmer who formerly represented one of the Eastern Counties which has suffered especially from this agricultural depression. He says:—

"Never since the passing of the Commutation Act, more than 50 years ago, has the burden of tithe pressed so heavily upon the agricultural industry as now. For 10 or 12 years the price of corn has been continuously falling. The lower it falls the more difficult it becomes to pay tithe at all. Owing to the action of the seven years' average, the amount we have had to pay during each of the last 10 years has been about 10 per cent higher than the price of the produce of that particular year taken by itself would warrant, yet we have had to pay it out of that produce. From a fifth of the rent as it used to be, tithe has become in many cases a third, a half, the equal of it, and in some cases all the rent. Indeed, some farms have actually been driven out of cultivation because no one would take them to pay the tithe as rent. As a rule, during these hard times tithe receivers have been very hard with tithe payers, and have insisted upon their full legal due. Consequently the feeling about tithe, both on the part of the farmer, and of the landowner, has become very strong. The burden is more onerous than ever and more unpopular."

He adds:—

"I have attended many meetings in different counties during the last few years, called to complain of the oppressive weight of the tithe under the lamentably altered agricultural conditions, and am sure there is no market town in England where at a publicly convened meeting a resolution in favour of this Bill could be carried. Indeed, no one who had any knowledge of the agricultural situation would venture to propose one. The Bill is little better than an insult to one of the most suffering classes in the kingdom."

Well, Sir, Gentlemen opposite are very fond of talking about the evils which are inflicted on the British farmer by foreign competition. But what is it that enables the American farmer, or the Canadian farmer, or the Indian ryot to compete with the British farmer in his own markets? Why, simply all these charges, the first and foremost among which is the charge for tithes. Of course, I should have no opposition to offer to a large and comprehensive measure that would do justice between the payer and receiver of tithes; but when I find the Government bringing in a measure such as this, which does no good to anybody, and inflicts endless trouble and expense on the tithe payer, I feel it my duty to oppose it in every way I can. I beg to move the Instruction that stands in my name.

Motion made, and Question proposed,

"That it be an Instruction to the Committee that they have power to review and revise the settlement made by the Act passed in the 6th and 7th years of his late Majesty King William IV., entitled 'An Act for the Commutation of Tithes in England and Wales,' and the Acts amending the same." —(*Mr. Osborne Morgan.*)

*MR. C. SEALE-HAYNE (Devon, Ashburton): I do not propose to put myself out of order by referring to any matters which I intended to deal with by the Instruction which I had placed on the Paper, but I think I shall be in order if, upon the present motion, I refer to the labours of the Committee which sat last year, for the purpose of investigating the method of taking the corn averages as determined by the Act of 1836. I am astonished, considering that it is generally supposed that the farmers' friends sit on the benches opposite, that during the whole of that Debate we have not heard a single gentleman, either belonging to that Committee or not belonging to that Committee, who has referred to the grievances which affect the tenant farmers, and which were brought before the Committee by so many witnesses. The evidence brought before that Committee showed that the present method of taking averages is faulty, and is one which practically robs the tithe payer of a very considerable amount of percentage over and above that which he ought to pay. In the first place it is evident that the Government officials, who ought to attend at the various markets and obtain from the sellers as well as the buyers the prices

for which they have sold their corn, are in many instances unknown, and many sellers even do not know that such an official exists. I know that the position of those officials was defended before the Committee by an official from the Board of Trade, but nobody except that official said one word in favour of those gentlemen, who are supposed to collect correct statistics at the various markets. Under those circumstances, it was perfectly evident to the Committee, and was one of the points upon which they dwelt in their Report, that their Returns were prepared upon incomplete information. It so happened that there was a Return which had been obtained by an hon. Member for one of the divisions of Shropshire, showing how many quarters of each species of grain was returned in the various markets, in different weeks, and also for a whole year, and we found that the average price was determined in some of these markets upon little more than 100 quarters of wheat or oats during the whole year, so that the average was determined upon a small and especially good sample, and consequently that the prices were considerably in excess of the real price of the produce of the land. We all know, having been told so over and over again, that tithe is a portion of the produce of the land, and if tithe in its origin was one-tenth part of that produce I should like to know why that part is not to be taken equitably, and did not include what is poor in quality as well as what is good. The tenant farmer has a very serious grievance in this matter. It is not only evident that what is good is necessarily sent to the market and obtains there the top price, but it is evident also that a vast amount of what the farmer calls "tail" corn does not come into the calculation of the average price in any way whatever. In addition to that, there is a large amount of corn consumed on the farm which is of inferior quality, which also does not come into the estimated price in any shape or form. The consequence is that the average is increased considerably above what, in fairness, it ought to be. There is one point which came before us in the Committee, and which, like the other grievances of tithe-payers, has not been dealt with at all in this Bill, and that is the question of re-sale. Corn which is brought into the market is sold by the man who produced it, and the price he obtains is that upon which the average ought to be calculated. The corn, however, changes hands at a profit, and the prices which are taken by the Government are not the prices which are obtained by the men who grow the corn, but the prices which are the result of speculation upon the market, and consequently includes the profits very often of several middlemen, as also the cost of carriage. These are grievances which are not known to the general public, but which are familiar to everyone who represents an agricultural constituency. I sincerely trust that this Bill will pass in its naked simplicity and with all its imperfections upon it. I further sincerely trust that after the passing of the Act in its naked simplicity, we may have a General Election, so that we may take the sense of the county constituencies upon the subject. In that case, I am perfectly confident that the gentlemen who now sit opposite will be sitting very shortly on these Benches.

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): As I had the honour of being a Member of the Committee to which the hon. Member has referred, I should like to say a few words. The hon. Member attached great importance to certain grievances, but the amount of that importance is nothing as compared with that which he attaches to his Party allegiance, because, sooner than have those grievances removed, he would like to see the Bill passed through without dealing with them at all, in order that his own Party may have the greater success at the General Election. The Instruction has nothing in the world to do with the matters to which the hon. Member has called attention. The hon. Member has confined his speech to the mode of taking the corn averages, although he ought to know that that was adopted long before the passing of the Tithe Commutation Act, and was only applied to that Act because it happened to be in existence. The hon. Member did not indicate how he would revise the taking of the averages, and while citing evidence given before the Committee of last year, the hon. Member did not quote the Report of the Committee, which gives a good answer to every one of the grievances complained

of. The majority of the Committee did not agree with the hon. Member as to the effect of the evidence given before them, and in more than one instance, on the points to which he has referred, the hon. Member was himself in a minority of one.

*MR. SEALE HAYNE: Pardon me. Only on one occasion.

*SIR M. HICKS BEACH: Well, on one occasion at all events. I will not now deal with these points, but the hon. Member's arguments respecting them are answered in the Report of the Committee. If any hon. Member thinks that the averages are taken on a wrong basis, I would advise him to study the evidence and Report before making any suggestions to the House on the subject. So far as Her Majesty's Government are concerned they will abide by the Report, and they are not prepared to legislate on these points. With regard to the Instruction now before the Committee, the right hon. Gentleman did not adduce one argument in its support. It is obvious that if the House were to agree to the Instruction it must defeat the Bill, and it is obvious also that the right hon. Gentleman desires to effect that object without in the slightest degree showing his own hand as to the manner in which the alteration suggested in his Instruction should be brought about.

SIR W. HARCOURT: The right hon. Gentleman seems to regard it as a fatal objection to the Instruction that it would put an end to the Bill. I should have thought that what has happened to-night might have shown him that the decease of the Bill would not be regretted by either side of the House. It is with the greatest difficulty, and only by votes given very much against the grain, that the Government have secured a narrow majority. But how is this Instruction to be fatal to the Bill? Because, the principle of the Bill being that it is to act only against one party, the tenant farmer, the Government say it will be fatal to their Bill if counter-vailing justice be done to the other party. There are really three parties to the tithe question—the tithe owner, the tithe payer, and the tithe debtor. It is a curious thing that the debtor is the landowner, and the payer is the tenant farmer. The Government are legislating in favour of the tithe owner. They refuse to legislate against the tithe debtor; and they put the whole stress of the Bill on the tithe payer. In taxation it is always considered a great evil to make the trader advance the taxes. But this is what the Bill does to the tenant farmer. The Home Secretary says, "We will get at the landowner through the tenant, who shall be made to advance the tithe." The Chairman of Committees in his acute speech has pointed out what the consequence will be if the tithe exceeds the rent. It is said you cannot interfere with the contract between landlord and tenant under which the latter has to pay tithe. The conclusive answer is, you are affecting the condition of one of the parties, and, if you do that, you must redress the situation of the other. Stand by the contract if you like and leave the tenant alone; but if you must choose to meddle with the tenant you must, in legal phrase, reform the contract. You have no businsss to say there is one contract, and only one, that is sacred, and that is the contract between the landlord and the tenant. There is one contract that is quite as sacred, and that is the Parliamentary contract of 1836. This is a solemn contract into which Parliament entered with the parties to the transaction and with the tenant farmer first and mainly. The Act says:—

"Provided always that nothing herein contained shall operate to render any person whomsoever personally liable for the payment of tithes."

A County Court Judgment would impose a "personal" liability on the tenant farmer, and that would be a deliberate violation of the statutory compact. The Government talk about the "agricultural interest," but we know very well what they mean by it. They mean the parson and the squire; and they do not mean the tenant farmer and the labourer. The Bill gives to the parson a facility for getting his tithe which he does not

possess at present. Besides that, it guarantees the squire against bearing any part of the odium of that facility; and the tenant farmer is between these two millstones. That is the real meaning of the Bill. If for any adequate reason the Parliamentary contract is to be set aside, the contracts of all parties must be revised. That is the demand the Opposition make, and the Government meet it by saying, "We will do nothing of the kind." The hon. Member for Sussex (Sir W. Barttelot), finding all other arguments fail, and finding his difficulties shared by Gentlemen sitting around him, brings forward the shibboleth which is used when all other arguments fail, and whenever any injustice is to be supported, and cries out "Law and order." Well, do you not see you are making law and order ridiculous when you use it for purposes of this kind? Do you not see you are making the tenant farmers of England and Wales think very much what the tenant farmers of Ireland think about your law and order? If in a case of such palpable injustice as this you cry law and order, you bring law and order into contempt. There is no doubt this tithe question has led to occurrences we all deplore; but that does not affect the obligation to deal with it in a statesmanlike way by paying due regard to all the interests involved. The interests of all parties concerned ought to be fully and fairly considered; and the cause of law and order will not be promoted if one of the parties is treated in an unfair manner. By the rejection of these Instructions the Government are refusing all amendment to the Bill and disabling themselves from amending the Bill at all; because everybody knows the object of an Instruction is that it can be applied to Amendments which without it cannot be introduced at all. After the very singular indication of the feeling of the House, I should have thought that the Government would have been willing to reconsider their position. I do not know whether we shall be accused of obstruction, but I will venture to say that, considering the votes that have come from the other side in support of our Motions, a more legitimate opposition to a Bill was never offered; and I hope that opposition will be continued, and that in Committee the Bill will be fought line by line, in order that the country may learn its real character. Hon. Members may not like this reference to the country, but it must come, and that soon, if the Government persist in their line of action. My right hon. Friend is entitled to speak on behalf of Wales, and he proposes that the Committee shall have power to revise the existing settlement; and in this connection I would ask hon. Members opposite—the hon. Member for Maldon, for instance—to note that the President of the Board of Trade has said that the Government have made up their minds to make no modification with respect to tithe averages. I hope the country will take note of that statement—a definite and clear declaration on the part of the Government; and hon. Members must reconcile it as they can with the promise of a full and comprehensive Bill next year or the year after, or some years hence. Whenever we have the Bill, the Government have declared through the right hon. Gentleman that they will not tolerate any revision of tithe averages.

*Sir M. H. BEACH: That is not what I said. What I said was, that we should not undertake to legislate against the Report of the Committee of last year, and in favour of the view of the hon. Gentleman opposite. The question of the number of years on which the tithe average should be taken is entirely an open question.

Sir W. HARCOURT: I am glad the right hon. Gentleman has made that explanation, but I do not quite understand what the Government have made up their minds to do.

*Sir M. H. BEACH: Perhaps the right hon. Gentleman will look at the Report of the Committee.

Sir W. HARCOURT: What I have to say in regard to the tithe averages is this—that nothing can be more unjust to the tenant farmers than the operation of these averages upon the tenant farmers under the unprecedented low prices of agricultural produce. If you are going to affect their position adversely under

the Bill, surely some relief ought to be given under the circumstances. So, also, in respect to assessment and other questions involved in the settlement. If the Government re-open this question I maintain that they are bound to review it as a whole in respect to all the persons concerned. It is most unfair to the House and the country that at this period of the Session a measure of this kind should be pressed as it is being pressed. The Government know perfectly well the distaste, the dislike, and the disapprobation with which it is looked upon even by their own supporters, and to interpose such a Bill in the middle of Supply is merely to waste time upon the subject. [*Cries of* "Order!"] I can soon place myself in order by a Motion if hon. Members drive me to such a course. I say it is most unfair to the House that the Bill should be forced upon us now. Of course, the Government may by a majority of four or even by a majority of one pass the Bill into law, but they will have no reason to congratulate themselves upon the success which they achieve. This Instruction raises a distinct issue, and upon that we are asked why we do not lay down our plan. But it is no part of our business to propound a plan. We only want to get out of the narrow limits imposed by the Bill, and allow the Government an opportunity, and allow hon. Members on the Opposition side of the House an opportunity, in Committee of making the Bill a just instead of the one-sided and iniquitous measure which it now is with respect to one of the parties to the transaction.

MR. AMBROSE (Middlesex, Harrow): The right hon. Gentleman condemns the Bill as one-sided, and condemns the Government for introducing it at this period of the Session. Does the right hon. Gentleman mean that there is to be in the coming winter a repetition of the scenes of last year? Is the law to be defied and rights settled in 1836 to be entirely ignored, and are those who are entitled to tithe rent-charge to be deprived of it by an agitation conducted in the interests of a particular party? The issue is whether law and order are to prevail, or the will of a few gentlemen conducting an agitation in Wales. I object to a review of the Act of 1836, which is a most masterly piece of legislation. I wish the legislation of the present day were half as skilfully conducted. If the Act is examined it will be seen that almost every interest has been considered. All parties were called before the Commission, and every effort was made to secure a fair and equitable settlement of the question. It may be that in some instances the settlement may operate, I will not say unfairly, but to the disadvantage of one party, but is it possible to have a settlement involving a variety of interests without something of this kind? In some parts of the country the disadvantage is against the receiver, in other parts against the payer. I do not wish to be misunderstood. I am not indisposed to consider the whole question, but I object to the larger question being tied to a Bill of this character. The rights of the tithe-owners were established not by the Act of 1836, they existed as far back as historical memory goes, first upon custom, which afterwards was merged into the law of the land. When these rent-charges were established they became a first charge upon the land, and if the law were as supreme now as it was in those days, there would be no difficulty whatever in the collection of those tithes. The right hon. Gentleman speaks of the tithepayer and the tithe debtor as though they were something different. Does the right hon. Gentleman, who has been a Chancellor of the Exchequer, know nothing of the Property Tax? There is the Property Tax receiver, the payer, and the debtor. There is the State which receives it, the tenant who pays it, and the landlord who is the debtor. The tenant pays the tax and deducts it from his rent; and I fail to see the smallest grievance in the matter of tithe to the tithepayer, who is neither more nor less than the medium employed for the purpose of collecting the tithe, the real debtor and the real payer being the landlord, from whose rent the tithe is deducted. I hope, however, the Government will be prepared to receive Amendments which may put the tithe payment on the tithe debtor, which may tend to prevent somewhat the tumultuous

proceedings that have been witnessed in Wales, and which may result in a happy solution of this question.

MR. HERBERT GARDNER: I heartily agree with the hon. and learned Gentleman in his earnest wish that the settlement by the Government of the present day should be equal to that arrived at in 1836. The hon. and learned Gentleman has pointed out that at that time the Government of that day showed itself ready to consider the position of all parties, and that is exactly what we ask the Government to do at the present moment in consideration of this Bill, but that is also exactly what the Government of to-day refuse to do by their absolute rejection of these Instructions. But the hon. and learned Gentleman was somewhat inconsistent in the way in which he praised the Government of 1836; because though he praised that Government for listening to both parties, he admitted that one of the two parties had a grievance and had to bear it as best it could.

MR. AMBROSE: I did not say that either party had a grievance now. On the contrary, I said the tithe-payer had no grievance, because he could deduct the amount of his payment from his rent.

MR. GARDNER: I will deal with that a little later. The hon. and learned Gentleman went on to say that there would be no harm in the Government rejecting this Instruction now, because he hoped Amendments would be introduced in Committee in regard to these matters. But he seems to me to be absolutely ignorant of the Forms of the House; if these Instructions are refused it will be absolutely impossible to bring in any such Amendments in Committee, and therefore the matter cannot be dealt with in the manner the hon. and learned Gentleman would be prepared to deal with it. In the earlier part of his speech he said that this Bill was introduced in the interest of law and order. If we were able to believe all that has been said on the other side of the House, we should believe that the Bill is distinctly and specifically for one class of persons alone—those who can pay but who will not pay. But nothing more absolutely false was ever stated. The Bill is to apply to the tithepayers generally of the United Kingdom. Now, accepting it as a matter of argument that the farmers of Wales are dishonest in refusing payment—that I deny, but supposing it were so—this Bill does not deal with them alone, and why should the tithe payers of Essex and Suffolk be put to severe treatment because the Welsh tithe payers refuse to pay their tithes? It is absolutely absurd. The real fact is that the majority of persons who will be hit under these circumstances are the suffering tenant farmers and the small yeomen, not those who can pay and will not pay, and the result will be that for the first time the Government will succeed in bringing Tory tithepayers into line with the advocates of Disestablishment, and that surely ought to be a matter for consideration for sagacious Churchmen. I hope we may now have an answer from the Government whether in their promised Committee there will be an inquiry into the working of the Tithes Commutation Act of 1836. Will the Government now give us the answer they declined to give earlier in the evening? The right hon. Gentleman the President of the Board of Trade seemed to think he had given a sufficient answer to my hon. Friend on the question of corn averages, and taunted him with being in a minority of one on the Committee; but I remember Divisions on the Committee when the Government were only in a majority of one or two. I am sure the tenant farmers will not regard the refusal of the Government to inquire into the question of corn averages with absolute complacency. I have referred to the injustice of the septennial average, and will not go into that again. In the Debates on the passing of the Act of 1836 it was laid down that one of the reasons for its passing was that it would stop any tax on the money put into the cultivation of the land. Will any hon. Gentleman tell me that the tithe as paid now does not, in a great majority of instances, come out of capital poured into the soil since 1836 in order to improve the agricultural industry of this

country? No one with knowledge of the subject will deny that. I really cannot congratulate the Government on their defence of their measure. I have not heard a single speech from Conservative or Liberal Unionists that has really been a defence of the Bill, and even from the right hon. Gentlemen on the Front Bench it seemed to me there came a very half-hearted defence of their position. Under these circumstances, I ask the Government whether they do not think it would be well to accept this Instruction, which will give them an opportunity of reconsidering the matter, and of bringing in a Bill of a comprehensive character which will give satisfaction all round?

MR. C. W. GRAY: In regard to what fell from the right hon. Gentleman the Member for Derby, I desire to say that I very much regret that there should have been so much Party animus in his speech. I regret also that the agricultural interest should again be made a sort of shuttlecock between the two Parties in this House. What I desire is that all sections of this House should try, if possible, to thrash this unfortunate Bill into a shape in which it will be beneficial, or kick it out altogether. The Instruction now under consideration is, undoubtedly, the most important Instruction of the five we see on the Paper, and I very much wish it had appeared first in the list, so that the Debates might have turned upon it. It is the most comprehensive of the Instructions; indeed, under it I should think that every subject of importance relating to tithe can be discussed. At any rate, I know that the interests of the agriculturalists are covered by the Instruction. The agriculturalists who are discontented with the existing law simply ask that the Commutation Act of 1836 should be reviewed. They say that agriculture has changed in its conditions since 1836, and it is upon that pivot that all their appeals turn. No doubt the Acts of 1835 and 1836 were well thought out, but whether or not they worked well for a time, I am most decidedly of opinion that they are altogether unsuited to the conditions in which agriculturalists now find themselves, and for that reason I must support the Instruction if the right hon. Gentleman goes to a Division. My hon. Colleague was quite right in drawing the attention of the House to the position of the yeoman farmer. There was a time when the yeoman farmer was described as the backbone of old England, and in discussing this question we must consider what effect the Bill will have upon that class. Everyone must admit the importance of the subject to that class. But is there a single line in the Bill calculated to give them relief? Not one. Nothing but the re-opening of the question of the Tithe Commutation Acts will satisfy the yeoman farmer, who has for 12 long years past demanded that the Tithe Question shall be thoroughly looked into. Her Majesty does not reign over a more loyal class, and is the answer to the demand which the yeoman farmer has made to be that all the Government are prepared to give is contained within the pages of the Bill before us? If so, can anyone wonder at the yeoman farmer's disappointment? They have been disappointed with previous Governments—though I do not wish to use the *tu quoque* argument against the right hon. Gentleman the Member for Derby. The question is, not who has or who has not done anything for them, but what should be done now? This can be done—we can go back to the Commutation Acts, and ask how far they are applicable to existing circumstances. Where there is a will there is a way, and I am sure it would be possible to re-open these Acts, and try and make them more applicable to the altered position of 1889. The hon. Member for Shropshire, who is a champion of the Church, might give us his advice in the matter, and I am sure we should be only too glad to pay every attention to his views. I must say, however, with regard to the Church view of the question, if you want to make the Church popular you must remove from that body every suspicion of greed. I feel convinced that if it goes out all over the agricultural districts—at all events in England, and I will say nothing of Wales, as it is quite enough for me to deal with the wants of my own country—that the clergy would rather receive large cheques from the land-

lords instead of collecting the tithe in small amounts. Whatever shaking the Church may receive in connection with this matter, will come, not from without, but from within. My opinion is, that if the Bill goes into Committee without the House having the benefit of this Instruction, the measure will not be productive of that advantage which the Government anticipate. Unless there is a very great difference between the Welsh farmers and the English farmers, it will have a disturbing effect in Wales. Who will say that the odium which now attaches to the collection of tithe will be removed when the County Court process is substituted for the present distraint? Who will put the rough process of the County Court in motion—who but the owner of the tithe? And surely the facts of the situation will be as apparent to the Welsh tithe payer as to every Member here. If I could do so without appearing to be presumptuous I would most certainly advise every hon. Member from Wales to do everything be possibly can during the coming Autumn to get the tithe payers of Wales to refrain from everything in the nature of disturbance. We in England are watching the action of our Welsh brother farmers with great interest. However severe the pressure of tithe paying has been upon the farmers of England we to the last man have paid the money so long as we had the cash. Of course, we have made our protest; and we shall continue to do so until the whole question is looked into on the basis recommended by the hon. Member for Denbighshire. We consider, however, that any one who encourages disturbance or who advises those who can pay not to pay is defeating the object he is supposed to have in view. The moment I find that any section of the agriculturalists of the country, whether in Suffolk, Essex, or in Wales, are banding together to refuse to pay what the law says is a just debt from them, to no matter whom, I shall lose sympathy with that section. I hope hon. Members opposite will take this hint in good part. I am not saying that it is not right and fair that there should be a change in the law. We protest against the present law and sympathise with protests. I have been referred to once or twice in regard to the Committee which sat to consider the question of Corn Averages, and a feeling of *esprit de corps* would have prevented my making any allusion to that Committee had it not been for such reference. I have been appealed to as to my experience in connection with that Committee, and I answer frankly and unhesitatingly that I was very much dissatisfied with the Report which emanated from that Committee. I do not believe the Report fitted in with the views of the general agricultural tithe payer throughout the length and breadth of the country. Wherever I went after that Report was made I was told by the farmers: "We looked anxiously to see what your Report would be, and now it has come we think it worthless." It is quite true a gentleman who was once a Member of this House was called as a witness—I refer to Mr. Albert Pell—and he told us he was satisfied with the position of tithe legislation. I was very much surprised at that evidence, and could not consent to take it as that of a friend of the farmers. So one-sided was Mr. Pell's statement that I asked him whether he had any interest, directly or directly, in tithe as a tithe owner, and it then came out that he was a very large tithe owner. Upon that, so far as I was concerned, all Mr. Pell's evidence was very much discounted. I have been in a dilemma on this tithe question all the way through, but at the same time I have wished to be sincere. I have spoken my mind in the interests of my agricultural friends in the country, and so long as one hon. Member in the House will listen to me I shall continue to do so when opportunity offers.

Mr. C. W. Gray

*Mr. WINTERBOTHAM (Gloucestershire, Cirencester): The House has just listened to a very interesting and a very honest speech from a Conservative Member who represents farmers—who, finding his way, as so many others have done, to the House by promising to support the interests of the tenant farmers, does support those interests even at the risk of having to vote against his Party. I do not think the hon. Member, when he goes down to East Anglia again, will have anything to fear in rendering an account of the

votes he has given on this Bill. The part of the country from which I come has been alluded to by the President of the Board of Trade (Sir Michael Hicks Beach) as one which has suffered almost as much depression, so far as the cultivation and the value of land is concerned, as even the East of England. I am able to corroborate the right hon. Baronet, and I am very glad indeed to be able to give my vote on behalf of the farmers who have suffered so much. The right hon. Baronet and those who have so long claimed to specially represent the agricultural interests, turn a deaf ear to the complaints of the tenant farmer and a ready ear to the complaints of the clergy and tithe-owner. The clergy seem to have advised the Government to upset the settlement come to in 1870 on educational matters —and I think they have done so unwisely. The change when it is effected will not be found satisfactory to those who have brought it about; and in like manner on this tithe question, when it is finally settled, the settlement will surely be in the interest of the tenant farmer who has waited so patiently for relief from admitted grievances as regard tithe for years. I do not see how any hon. Member, who really has the interest of the farmers at heart, can take exception to this Instruction. The settlement of 1836 referred to in it was a settlement to which there were three parties—the clergy, the tenants, and the landowners. The landowners soon managed after their manner to shift the burden from their own shoulders, leaving it on the tenants, although it is not a tenants' debt, and never was intended to be. In the interests of the tenant farmers of Gloucestershire, I protest against the present unfair attempt to upset the settlement of 1836 on behalf of a single class. I regard this Bill as an insult to the tenant farmers of England. I have not heard a whisper from hon. Members opposite to the effect that these tenant farmers have not paid their tithes—and paid them, too, when they could ill-afford to do it, and in cases where no abatement has been allowed. Why is this County Court process to be inflicted on them — why should they be insulted in this way in the interest of law and order in Wales? As representing an agricultural constituency, I feel it to be my duty to earnestly protest against this Bill, which I believe will be viewed with disfavour by agriculturalists throughout the length and breadth of the country. It is an old maxim of our Constitution that redress of grievances should always precede Supply. But you are not redressing the grievances of the farmers; you are altering the settlement of 1836 in the interest of the tithe owner alone—altering the position of affairs adversely to the tithe payers. I protest against that as being opposed to the great principle of redress of grievances going before Supply. What is this Bill for—this Bill brought forward at so late a period of the Session to take up the time of the House, to raise Party disputes and opposition, and create bitter feelings not only in Wales, but throughout the length and breadth of the country. What is the Bill to do? We hear from the Home Secretary that it shall be amended so as not to cause anyone to be imprisoned, for he has promised to insert words in it which will forbid imprisonment under the measure. It will do nothing but put a stigma and insult upon the tenant farmers, and pile up County Court costs. This Instruction is one that I heartily support, for I hold that if the settlement of 1836 is to be altered or modified at all, it ought to be amended all round, so that we may try to meet the grievances of the tithe-owners; we may also, at the same time, remove those of the long-suffering tenant farmers of the United Kingdom.

*ADMIRAL FIELD (Eastbourne): As the Representative of an agricultural division in the County of Sussex, I desire to say a few words on this question. I think the hon. Member who has just spoken has touched the weak point in this Bill, which by providing that the tenant may be sued for the tithe, puts him in the position——

*MR. SPEAKER: The hon. and gallant Gentleman is going into the whole question of the Bill, and is not confining himself to the Instruction before the House.

*ADMIRAL FIELD: I will try to obey your ruling, Mr. Speaker; but, as I stated, the hon. Gentleman has hit the weak point of the Bill. I may say that nothing would induce me to support the Government and vote against this Instruction, but the conviction that we shall have a larger measure from them at a later period. I am in sympathy with all of these Instructions, and I think that every man in the House is in sympathy with them—indeed, Her Majesty's Government are in sympathy with them, and I only vote against them because I look on them as insincere—I mean in this respect—that it is utterly impossible that the Government could accept them, inasmuch as they could not be incorporated in the measure at the present time. This is simply a temporary measure, intended to meet a temporary difficulty, created by political agitators in Wales, and, unfortunately, the disease is spreading to certain parts of England. In saying this I have in my eye a country gentleman Magistrate, living in his own mansion, who declined to pay his tithe because the parson would not reduce the amount; and the consequence was that the parson was forced to distrain, the result being that a crowd gathered round the auctioneer, and there was quite a sensation in the neighbourhood. These are disgraceful scenes, and, for my part, I would send such men into any Court I could—a higher one than the County Court, if possible. When you have a man who can pay, and who will not pay, you ought to be able to treat him like an ordinary debtor. However, I do not like treating the tenant farmers, in this respect, as ordinary debtors. The Government, I understand, will insert a clause hereafter that will, in the case of future contracts, throw the onus of the tithe upon the landlord, who, after all, is the person who ought to pay the tithe. When the right hon. Gentleman the Member for Derby says we shall render ourselves unpopular, and that some of us will lose our seats over our action on this question, I reply that I, for one, am ready to face that contingency. The tenant farmers of England, and certainly those of Sussex, know that the Bill is not one that is levelled against them, but against disorderly people——

*MR. SPEAKER: I must again remind the hon. and gallant Gentleman that he is not speaking to the Instruction which is before the House.

*ADMIRAL FIELD: I beg pardon, Sir; but I find it very difficult to steer clear of the rocks and shoals which abound in this discussion. The word "cowardly" has been used against the Government. I do not know how that word was intended to be applied; but I think they are the real cowards who hound on the people to refuse to meet their obligations——

*MR. SPEAKER: The hon. and gallant Gentleman is again wandering from the point.

*ADMIRAL FIELD: I will try, Mr. Speaker, to keep to the point.

*MR. SPEAKER: The hon. and gallant Gentleman would do better to adhere to my ruling. He has not once touched the subject yet, and I am afraid if he continues in the line he has pursued I shall be obliged to request him to resume his seat.

MR. H. COSSHAM (Bristol, E.): I rise to support the Instruction now before the House, and will give one or two reasons for so doing. I have a strong conviction that the settlement of 1836 will have to be reviewed, but I desire that when it is reviewed it shall be reviewed in a comprehensive form. I hold in my hand a Petition sent to this House, and signed by Lord Aylesbury and several other Peers, who speak more strongly on this question than any hon. Member who has addressed the House to-night. Among the reasons they give for a review of the Act of 1836 they say that wages have increased to something like 50 per cent in the last 52 years. I am a large tithe-payer myself, and grow a good deal of corn, and I know what that means. They also say that while in 1836 corn was 56s. a quarter, it is now only 36s. or 37s. on the average. If we are to review the

Act of 1836, let us not do it in a tinkering way. One hon. Gentleman spoke of the extravagance of the settlement of 1836. Now, I can recollect that settlement, and I tell the hon. Gentleman that the statesmen of that day, whom he was praising, were men who represented the Party on this side of the House, and who were opposed to the Party to which he belongs. The opposition to that settlement was much stronger than anything that has taken place to-night, and I say that hon. Gentlemen should learn its history before coming here to talk upon this question. I feel that we are justified in saying that if we are to re-open this question we should review the whole position, and it will then be seen that the tenant farmers are those who have suffered most. What makes me feel that there is a great deal of dishonesty in politics is that hon. Gentlemen opposite who have said so much in favour of the tenant farmers do not allow us to measure their sympathy for that class. I ask will their sympathy lead them into the Lobby in favour of this Instruction? I desire that in re-opening this question we should do justice to all sides, and especially to that side which has been least considered in this matter. I allude, of course, to the tenant farmers who pay the tithe, but who ought not to have to pay it, and upon whom you wish to press more harshly the obligation which ought to rest on the landowners. I hold in my hand a letter from a distinguished Gentleman who used to be a Member of this House, and who is a tenant farmer. He states that—

"Owing to the action of the seven years' clause the tenants have been paying 10 per cent beyond what they ought to pay, and that, in many cases, the tithe instead of being a tenth, comes up to a quarter, and in some cases to a third, and in some cases to the whole of the rent."

Now, the settlement of 1836 meant that the payment should be one-tenth only. The writer also says:—

"How any party, how any person professing to have the slightest desire to benefit the tenant farmers can vote for the Bill on this side of the House I cannot imagine."

Well, Sir, I shall watch the matter in the Lobby presently, and the tenant farmers will also watch what is done, and if this Instruction is rejected it will be bad for that side of the House.

*MR. SWETENHAM: I desire to say a few words to explain why I, as a County Member, intend to vote against this Instruction. No one can view with greater regret than I do the fact that the Government has not had time during the present Sessi to review and revise the settlement made by the Act of William IV. That the time has arrived when that Act ought to be reviewed, I am quite satisfied; but it is manifest that at this period of the Session it is impossible to undertake the work. As the hon. Gentleman who moved the Instruction did not specify any of the points on which he proposes revision, I cannot help thinking that what he really means is what has been already discussed.

*MR. G. OSBORNE MORGAN: I did not know it was part of my duty, in moving this Instruction, to state what particular Amendments I proposed to introduce; but if Her Majesty's Government will accept the Instruction, I am ready to put those Amendments on the Paper to-night.

*MR. SWETENHAM: I was only stating a fact. I wish the House to understand that, in my opinion, it will be absolutely necessary on some future occasion to consider the question of redemption as one of the modes of revising the Act; I also think that another mode of revision will be found in providing that in all future contracts the landowner ought to be the person to pay the tithe. I may also say that I think the Corn Average question is one that presses very severely on persons in the position of the tenant farmers. There are a great many other things that have not been considered, and which I trust may be dealt with in a future Session. I cannot help thinking that when the right hon. Gentleman said the present Bill changed the nature of the debt, he was in reality resorting

to what he will forgive me for calling a quibble. The Bill does not change the nature of the debt; all it proposes is to change the nature of the remedy for recovering the tithe rent-charge, which is practically a debt on the land. The right hon. Gentleman, had not read the Bill carefully, would he have said the tithe was made a charge on the tenants' personal estate. It does not in any way make the tenant personally liable, any further than does the Act of William IV.; on the contrary, it specially safeguards him, so that the tenants' personal estate shall not in future be liable beyond what is provided by that Act. The last speaker asked what extra power does this Bill propose to confer.

*Mr. SPEAKER: The hon. Gentleman is going beyond the Instruction, which is

"That it be an Instruction to the Committee that they have power to review and revise the settlement made by the Act passed in the sixth and seventh years of his late Majesty King William IV."

*Mr. SWETENHAM: I bow to your ruling, Sir, and would not have ventured into that part of the question had I not thought the hon. Gentleman to whom I have referred was in order in the allusion he made to it. I will no longer stand between the House and a Division, and will merely say I do not support this Instruction, because, as the last speaker has said, although it may do right to the tithe-owner and limit the wrong done to the tenant farmer, it nevertheless would unduly overweight the Bill and imperil its passage at this period of the Session.

Mr. GRAY: I never admitted that I thought it would be right to the tithe-owner.

*Mr. S. RENDEL: I would observe that only one Welsh Member has spoken in reference to this Instruction, and that hon. Gentleman sits on the opposite side of the House. I think if any section of the House should receive indulgence on this occasion it is that to which the Welsh Members belong. We have been plainly told that we are responsible for occupying Parliament with such a measure at this untimely season. We are told that this measure is of our making, and this is said even by those who are otherwise opposed to the Bill, and only assent to it in consequence of the view they take of the conduct of the Welsh people in this matter. The hon. Member for Maldon, for instance, adjured the Welsh Members to do their best to see that law and order are henceforth better maintained on this subject, and again, the hon. Member for Harwich, who dislikes the Bill, told us that he was prepared to support the Bill because of what is going on in Wales in regard to this subject. I doubt whether the hon. Member has a large proportion of the opinion of his constituents with him on this matter. To put this matter of breach of law in as succinct a form as I can, I refer to the charge delivered by Mr. Justice Field when opening the Summer Assizes for Montgomeryshire. The learned Judge then alluded to the general improvement that had taken place in regard to the observance of the law, and he expressed his satisfaction at the peaceful character of the tithe demonstration in that and the neighbouring counties. Latterly you have had the Welsh farmers resisting the payment of tithes up to the point of being turned out of their farms, and if all you do now is simply to enact a law by which they can be taken to the County Court, instead of having their goods distrained upon, the result will be very disappointing to those who believe that this measure will have a beneficial operation.

*Mr. SPEAKER: I must point out that the hon. Member is travelling beyond the scope of the Instruction.

*Mr. S. RENDEL: I bow to your ruling, Mr. Speaker, and will only say, in conclusion, that I trust this Instruction may be carried in order that it may be possible to afford the tenant farmers and tithe-payers a reasonable expectation that something will be done in their behalf to render their position less onerous than it is at present; but instead of adopting such a course, Her Majesty's Government are now merely adding to

the evil by attempting to pass a Bill under which the mischief will merely take a new channel, and in Wales, at any rate, I can assure them that they will find the last condition worse than the first.

MR. NEWNES (Cambridge, E., Newmarket): As a large number of my constituents are interested in this question, I trust I may be allowed to occupy a few minutes of the time of the House, more especially as I do not often trouble it. I think, Sir, the number of Instructions that have been put on the Paper in order to enlarge the scope of this Bill affords proof of the bald, imperfect, and incomplete state in which the measure is now presented. Indeed, the Government have admitted this, because they have promised next Session to introduce something that will be more satisfactory. But although this promise has been made, one of the most ardent and loyal of the supporters of the Government, the hon. and gallant Member for Sussex (Sir W. Barttelot), has risen in his place and stated that he has long ceased to place any reliance on the promises made by the Government of legislation on the tithes question. If their own supporters cannot rely upon them, I am sure they can hardly expect us to do so. They say that another time they will give us a full and complete measure; but if there is time now to look after the interests of the landlords, there is also time—or there ought to be—to look after the interests of the tenants, and at any rate it is not fair for them to produce a one-sided result as this Bill certainly will do. I venture to say on the question of time that, if necessary, rather than do such a gross injustice, as I am sure this will prove to be, we ought to stop here till Christmas in order to do justice. This, Mr. Speaker, is a very large question indeed, and it is one which admittedly requires re-opening and re-settlement. The Government have admitted this, because they are promising us a settlement next Session. But I venture to say that to open it now in the closing hours of this Session in the interests of one party—the party of landlords—against the interests of the tenants, is a very strange method indeed for the Government to adopt in regard to the tenant farmers of this country for the continuous support which they have given to the Tory Party. I can assure the House that though it is not so in Wales, or in Ireland, the tenant farmers of England are the bulwarks of the Conservative Party; and this is how they are treated by the Government. Nothing will satisfy the overburdened tithe-payers of England but an entire re-opening of the settlement of 1836, and an adjustment of the question in the way we suggest in the Instruction of my right hon. Friend. The English farmers have borne their troubles with great patience; but I believe their patience is rapidly becoming exhausted, and this piece of business on the part of the Conservatives will open their eyes. If the Conservative Party desire to retain the support which has been so loyally given them by the tithe-payers in the past, they will, even at the eleventh hour, withdraw this one-sided and pernicious Bill.

*MR. H. H. FOWLER: The Instruction of my right hon. Friend raises the whole case which we have against this Bill, and the Division which the House is now about to take is really, I think, the most crucial Division we shall have taken the whole of this evening. I want, for a moment or two, to recall the attention of the House to what really is the point in dispute. By this Instruction my right hon. Friend asks the House to give the Committee power to revise the whole settlement of 1836, and he asks for that power because the Government propose to re-open that settlement with respect to one branch of it only. The only answer we have as yet received is not that the settlement ought not to be re-opened, for everyone admits that it ought to be re-

opened, but that there is not time to do it this Session. An hon. Member just now talked about the insincere position taken up by Members on this side; but I would ask whether there is any man in this House at this moment who in his heart of hearts believes that the Government is going to devote the next Session of Parliament to re-opening the tithe question. A very high authority—a gentleman in the most intimate confidence of Her Majesty's Government—has told us what they are going to do next Session, and I venture to say that that will occupy our whole time from the very day of the reading of the Queen's Speech to the day of prorogation, and there will be no Tithe Bill whatsoever next Session. This, therefore, is our only chance of dealing with the tithe question. We have not asked the Government on the 12th August to prolong the Session; indeed, we were quite willing on this side to give the Government every facility for bringing the Session to a close, and if hon. Gentlemen are kept here late it is entirely the fault of the Government which has thrown down the gauntlet, and has said that the settlement of the tithe question is of supreme importance, and that they are entitled to ask Parliament to sit on and do this work. Well, if the Government say that, we say we will have no half-hearted re-settlement. If the tithe settlement is to be re-opened in the interests of the tithe owner, it must also be re-opened in the interests of the tithe payer, and in the interests of the cultivator of the soil. The President of the Board of Trade has complained that we have not indicated in what direction we want this question re-opened. Now, Sir, we hold, first, that as rent has gone down since 1836, so tithe also ought to go down if the settlement is to be re-opened. If land was in 1836 paying a rent of 30s. per acre, and it is now only paying 15s. per acre, then the tithe which in 1836 amounted to 5s. per acre, ought to be reduced proportionately with the rent. I am not saying that that is right or that that is the contention we shall put before the House with reference to the re-opening of the question. We say, secondly, that the mode on which the averages are calculated is unsound, imperfect, and misleading. The right hon. Gentleman has referred us to the Report of the Committee. I have referred to the Report of that Committee; and I will not detain the House now by reading a number of extracts from the evidence which I have in my hand; but I may say that the testimony of men like Mr. Duckham and Mr. Clare Sewell Reade shows that the present mode of calculating the averages puts and additional burden on the land equal to at least 10 per cent. These are grave questions which cannot be settled in four or five minutes. We also complain that a large quantity of wheat and oats is not brought into the calculation. There are these three great questions to be dealt with. The right hon. Gentleman says, "I shall stand by the Report of the Committee," and he refers my right hon. Friend the Member for Derby to that Report. But the Committee did not accept the Chairman's Report. We cannot accept the Report of the Committee, which was carried by a narrow majority, as any settlement of the question. We say that if you want to re-open this question, if you want to throw the Tithe Commutation Act into the melting pot, we are ready and willing to sit here to do so if you are; but if the question is to be re-opened, let us do justice all round. Let us settle what is fair to the tithe owner as well as to the tithe-payer. Let us re-open the whole question how averages are to be calculated and how tithes are to be paid. If you say in reply to that, "We have not time to do so," then I say you have not time to alter one of the three cardinal points of the settlement of 1836, and you have no right to attempt to alter the cardinal point which says that the landlord and not the tenant should be responsible for the payment of tithe.

Mr. W. ABRAHAM (Glamorgan, Rhondda): I rise to support this Instruction on grounds similar to those advanced by my hon. Friend (Mr.

Newnes). If the Government were as honest as we should like them to be they would have moved in this direction by a Motion to revise the settlement under the Commutation Act. I do not know how far the Government have reviewed that Act, but certainly they are now doing their best to revise it by the proposition which is before the House; and I think that before they accuse the tenant farmers of breach of contract, they ought to have tried to have put their friends—the landlords—right first, because, undoubtedly, the landlords were the first to break the contract. They repudiated entirely the conditions of the Commutation Act by forcing the tenant farmers, against their will, to become responsible for the payment of tithe, instead of paying it themselves. I believe that is the sole reason for the present disturbances in Wales. They are entirely due to the plain dereliction of duty on the part of the landlords. If I understand it aright, the landlords refuse to carry out this part of the compact under the settlement of 1836. Under that Act it was never intended that the tenant should be liable. In fact, the settlement was made for the very purpose of putting an end to the payment of tithes by the tenant, because the payment of tithes by the tenant had caused so much irritation between the clergy and the agriculturalists of the country that it was found advisable to commute it into a rent-charge payable by the landlord, and that the tenant should be introduced only in the character of a "go-between." We are told that the settlement was a masterly piece of legislation. Why, if it was a masterly piece of legislation, do the present Government propose to disturb it in the interests of one party only, and to the detriment of the poorer of the two parties? I quite agree with my hon. Friend the Member for Carnarvon, when he said that two wrongs do not make a right. Even the Conservative Press in Wales is against the Government. The *Western Daily Mail*, a Conservative journal, in its to-day's issue says, speaking of this Bill and the present action of the Government, "We fear that it will aggravate the evil and make the relations between the clergy and their parishioners more unpleasant than ever." The Home Secretary says that this Bill affords an easy mode of collecting the tithe; but the Conservative Press do not even agree with that, for the *Mail* says, "It is a mistake to suppose that the present proposal will in any way make it easier to collect tithes in Wales." The tenant farmers of Wales will look upon this Bill as an attempt to threaten and coerce them into paying tithes to an alien Church, and in that is to be found the real difference between the English and the Welsh tenants farmers. This proposition will only cause irritation in Wales, and I am sorry to think of what may take place if the Government persist in pushing the Bill through. If there is not time now for the full settlement of the question, and to do justice to all classes, instead of doing an injustice to one class, and that one the poorer class, it surely will be far better to allow the present state of things to continue.

*MR. T. E. ELLIS: I desire, Mr. Speaker, to give reasons for the vote I am about to give, and I think I may say that if the Government desire to get this Bill through they had better allow the Welsh Members, who are most concerned in this matter, to have their say upon the subject. You have not yet got into Committee on the Bill, and you had better give us fair play and enable us to state our case. The right hon. Gentleman the Member for Derby, in reference to the settlement of 1836, said it touched three great interests—namely, the Church, the tithe-payer, and the landlord. I believe that the statesmen of that period felt in coming to that settlement that they were dealing with a still larger interest, and that was the interest of the nation itself. Before 1836 the tithe, as the hon. and learned Member for Harrow has told us, was merely a customary payment, but it had been productive of irritation, and if the hon. Member in their leisure

moments will read the voluminous Reports of the Poor Law Commission, which sat for many years before 1836, they will find that the agitation against tithe and discontent at the payment of it was almost universal over the whole of England, and far more widespread than is the discontent now prevailing in Wales. The statesmen of 1836 felt that, unless they put the payment of tithe on some new basis it would be lost altogether, and they looked upon their work as saving a great property for the nation itself. Therefore the Act of 1836 was a settlement in favour not of a particular class, but of the whole nation. What we ask to-night in this Instruction is that if you revise and review that settlement, you should do it not in the interests of the tithe-owner, but in the interest of the cultivator of the soil, and above all, in the interests of the nation. One of the cardinal points of the Bill of 1836 was that the tithe was not made a personal debt. Section 67 of the Act of 1836 indicates plainly and in so many words that it is not to be a personal debt; but, at the same time, it had to be recovered in some way or other, and, therefore, the tithe was put not upon the landlord as such, not upon the tenants, but upon the produce of the land. Now, in this Bill you take away that, and yet you retain all the other anomalies of the Bill of 1836. You have thrown down the challenge to us in Wales, and I say that we have a perfect right, as representing the people of Wales, to ask that this House shall go thoroughly into the whole question.

It being midnight, Mr. Speaker rose to interrupt the Business.

Whereupon, Mr. W. H. SMITH rose in his place, and claimed to move that the Question be now put.

Question put, "That the Question be now put."

The House divided:—Ayes 165; Noes 124.—(Div. List, No. 299.)

Question put accordingly—

"That it be an Instruction to the Committee that they have power to review and revise the settlement made by the Act passed in the sixth and seventh years of his late Majesty King William the Fourth, intitled 'An Act for the Commutation of Tithes in England and Wales,' and the Acts amending the same."

The House divided:—Ayes 133; Noes 155.—(Div. List, No. 300.)

Committee deferred till to-morrow.

REGULATION OF RAILWAYS (No. 2) BILL. (No. 360.)

As amended, considered; Amendments made; Bill read third time, and passed.

SUPPLY (21st June)—REPORT.

Order for Consideration of postponed. Resolutions read.

ARMY ESTIMATES.

(1.) "That a sum, not exceeding £79,300, be granted to Her Majesty, to defray the charges for Half Pay, &c, of Field Marshals, and of General, Regimental, and Departmental Officers, which will come in course of payment during the year ending on the 31st day of March, 1890."

(2.) "That a sum, not exceeding £1,186,600, be granted to Her Majesty to defray the charge for Retired Pay, Retired Full Pay, and Gratuities for Reduced and Retired Officers, including Payments awarded by the Army Purchase Commissioners, which will come in course of payment during the year ending on the 31st day of March 1890."

Question proposed, "That the House do agree with the Committee in the said Resolutions."

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): According to a promise made when these Votes were discussed in Committee, I ask leave to make a statement as to the mode in which we intend to deal with the general officers' list. It may be in the recollection of the House that a good deal of evidence on this subject was given before the Select Committee on Army Estimates last year, and that in the Report of the Committee the question of reducing the number of general officers according to proposals which had been made was pressed upon the special attention of the Government. We have, therefore, given to the subject a very careful consideration, and the scheme which we have adopted will, as

we believe, accomplish all the objects that are desired, and, at the same time, deal justly and tenderly with the important interests involved. The present list of general officers, independent of the Staff Corps, consists of 10 generals, 35 lieutenant generals, and 95 major generals, or a total of 140, which is far in excess of the number of appointments. Promotion to the rank of major general is at present regulated partly by selection and partly by seniority. The result is that a certain proportion of the major generals' list is composed of officers who have never been, and never will, be employed as general officers. The principle of the new scheme is that when it comes into full operation no one will be promoted to the rank of major general except to fill an appointment allotted to that rank. In other words, selection will be introduced in the least invidious form for every promotion. Selection to fill an appointment will apply also to the promotion from the rank of major general to that of lieutenant general, but there will remain a fixed establishment of 10 generals as at present. This is retained as a reward to distinguished general officers. The application of this principle cannot take place all at once. The claims of many existing general officers and of purchase officers generally, are so indisputable that time must be allowed to bring it into effect. The scheme will, therefore, only begin to operate on December 31, 1890, and the reduction in the present numbers will then be gradually effected according to previous precedents in case of reduction of numbers. Moreover, all officers who were on the establishment of general officers in December, 1886, will retain their rights as to promotion. Nor is it possible to limit the number in each grade to the exact number of appointments to be filled, because it must necessarily happen that at the close of a five years' appointment there may be not another vacant appointment available, and therefore what may be called a "backwater" is allowed for in the form of a certain excess in the number of general officers in each grade over and above the number of appointments. Retirement on the ground of non-employment will then be abolished. It is proposed to fix the establishment of full generals at 10, and to abolish the establishment in the other grades, substituting a maximum of 20 lieutenant generals and 70 major generals. This will involve a possible maximum number of 100 general officers, showing a reduction of 40; but according to the report of the actuaries it is probable that the normal number will, under existing conditions, be about 90. The same principles, as I have described, will be applied to the case of the Indian Staff Corps. The vested interests of officers are adequately provided for. The maintenance of the present establishment for general officers of 1886 and earlier and the gradual system by which the reduction in number is to be effected have already been mentioned. But, in addition, it is clear that this reduction will effect also the prospects of colonels. It is therefore intended, in order to compensate them for their loss of prospect, and in view of the fact that the rank of colonel is also now restricted to selection to fill an appointment, a power has been reserved to grant to colonels who have been employed as such after December 31, 1890, and retired at the age of 57, retired pay at the rate of £500 instead of the present rate (£450 for Royal Artillery and Royal Engineers, and £420 for other arms of the Service, the age being 55.) The pension for colonels' widows is also to be raised from £90 to £100 a year. It will be seen that by this scheme the object will have been accomplished of largely reducing the present numbers, of introducing the principle of selection in its best form, and of creating a list of general officers, all of whom will have been qualified for appointment to that rank, and ought to be the picked men of the Army. The net financial result, after making allowance for the increased retired pay to colonels already mentioned, is estimated to be a saving of £22,000. But I do not put forward these proposals on the ground of economy; I advance them on the grounds of the increased efficiency which will be secured. We are trying to deal justly with every claim which is put forward. I hope that in this short

statement I have been able to make clear the general effects of our scheme.

COLONEL NOLAN (Galway, N.): The Secretary for War rather glided over the point as to when the scheme would come into operation, and I should be glad if he would give us some further information on the point. As far as I understand it no step will be taken under the new scheme until 1890, and up to that date progress will be regulated according to precedent. This is extremely ambiguous. It is further stated by the right hon. Gentleman that the claims of all general officers will be considered, especially of purchase officers; but I do not see why the claims of non-purchase officers should not be considered exactly in the same way as those of purchase officers. May I ask whether the Engineers and Artillery are going to be shut out from the benefits of the scheme? I repeat that I think the purchase and non-purchase officers should be treated alike under the scheme.

GENERAL C. C. FRASER (Lambeth, N.): I beg to earnestly protest against the scheme in the interests of those officers who have spent their lives and fortunes in the hope of becoming general officers. I hope another opportunity will be given on which the House can fully discuss the matter.

*SIR WALTER BARTTELOT (Sussex, N.W.): I think my hon. and gallant Friend must be mistaken if he fears the Engineer and Artillery officers will not come under the scheme. But I should like to ask the Secretary for War how he proposes to deal with the colonels? I understand that under this scheme some will be left entirely out in the cold and will get no promotion whatever. Is it the case that the scheme will apply only to those who have been actively employed lately? There may be some who have not had the good fortune to be so employed, but who have yet done excellent service, and I should like to ask my right hon. Friend how he proposes to deal with these men who have served with distinction and are still colonels in the Army?

*MR. E. STANHOPE: I think the hon. and gallant Member for Galway was quite right in asking me to explain a little more fully what I meant by "gradual reduction." The reduction will take place in the following way:—Every second vacancy in the rank of major general and every third vacancy in the rank of lieutenant general will be ignored. With regard to the Artillery and Engineers, they are entitled to the full benefit of the scheme just as much as their brethren of the Infantry. With regard to the colonels, the Government propose to give a special retiring allowance of £500 instead of £420 in compensation for the loss of promotion which is involved in the scheme.

COLONEL NOLAN: Is it every second or every third vacancy for major generals will not be "filled up?"

*MR. E. STANHOPE: Every second vacancy.

Resolutions agreed to.

BARROW DRAINAGE BILL. (No. 258.)

Order for resuming Adjourned Debate on Amendment to Second Reading [2nd July] read, and discharged.

Bill withdrawn.

SHANNON DRAINAGE BILL. (No. 289.)

Ordered for Second Reading read, and discharged.

Bill withdrawn.

COUNTY COURT APPEALS (IRELAND) BILL. (No. 369.)

Lords Amendments considered, and agreed to, with Amendments.

COTTON CLOTH FACTORIES [RE-COMMITTED] BILL. (No. 366.)

Considered in Committee, and reported; as amended, to be considered to-morrow.

It being One of the clock, Mr. Speaker adjourned the House without Question put.

House adjourned at One o'clock.

HANSARD'S PARLIAMENTARY DEBATES.

No. 9.] SEVENTH VOLUME OF SESSION 1889. [AUGUST 21.

HOUSE OF COMMONS,

Tuesday, 13th August, 1889.

QUESTIONS.

—o—

CEYLON.

SIR EDWARD WATKIN (Hythe): I beg to ask the Under Secretary of State for the Colonies of whom is the Commission, stated to have been appointed by the Governor of Ceylon, to inquire into the alleged evictions and consequent deaths, in parts of Ceylon, composed; and has the attention of the Colonial Office been drawn to a letter, which appeared in the *Ceylon Mail* of the 29th June, 1889, from Mr. George Wall, in answer to inquiries from the Government agent as to the authority on which the statement had been made that 1,048 villagers, evicted by the Government from their lands for non-payment of Grain Tax, had died of starvation in the vicinity of Nuwara Eliya, in which Mr. Wall says:—

"I find it stated in the Administration Report on the Nuwara Eliya district for 1887, that, 'between 1882 and 1885, 2,889 paddy fields were sold for default of payment of the Paddy Tax,' and, 'that, in the case of the fields so sold, 1,048 of the late owners had died.' That fact is not disputed. The only question is as to the cause of death.

"This seems to me to be sufficiently obvious, but is plainly suggested in the opening paragraph of an appeal on behalf of the Bodi-Ela scheme, of which the author of the foregoing statement is the prime mover, as follows: 'During the years from 1882 to 1885 large numbers of Kandyan villagers in the Nuwara Eliya district were ejected from their ancestral holdings, by the sale of their paddy lands for default in the payment of Paddy Tax, to lead a vagabond life and eke out a miserable existence by pilfering in the villages, migrate to towns and swell the criminal population of the country, or, as was often the case, to die of sheer starvation in the jungle.'"

I wish to add that the question which appears on the Paper is not the question which I handed in to the clerk at the Table.

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. DE WORMS, Liverpool, East Toxteth): The Commission in question is a Sub-Committee of the Legislative Council. The Secretary of State's attention has been drawn to the passage quoted; but as the matters referred to are alleged to have happened some years ago, and as they are being carefully inquired into, he does not propose to take any further action pending the Governor's Report.

SIR E. WATKIN: Is the Governor of Ceylon now in England, or in Ceylon?

BARON H. DE WORMS: I believe that he is in Ceylon, but I am not sure.

IRELAND—ALLEGED ASSAULT BY THE POLICE.

MR. HENRY J. WILSON (York, W. R., Holmfirth): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, on Monday 5th August, Sub-Inspector Wade, of Portumna, and Constable Judge assaulted and threw on the ground an old man, Tom Forde, who had cautioned them against trespassing on private ground, and that Judge drew his sword to frighten or to stab the old man while on the ground, but Sergeant Murphy interfered for his protection; whether Judge is the constable who tore out the hair of a young girl at Tully's eviction; and what action it is intended to take with regard to this constable?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Constabulary Authorities report that the District Inspector with some constables was engaged in preventing the ringing of the chapel bell which had been commenced with a view to assemble a crowd to obstruct a bailiff in the discharge of his duty. Forde alleges that he was assaulted and has summoned both the District Inspector and the constable named, the case being now *sub judice*. The police deny the allegation that they assaulted him.

SALE OF GOVERNMENT PUBLICATIONS.

SIR GEORGE BADEN-POWELL (Liverpool, Kirkdale): I beg to ask the Secretary to the Treasury whether his attention has been called to the fact that the net amount annually received from the sale of Government publications in the United Kingdom averaged for the six years 1878-9 to 1883-4 about £20,650, but rose in the year 1884-5 to the abnormal amount of £34,810, falling in the two next years to £31,143 and £24,526 respectively; whether when tenders were invited in 1885 for the sole agency for the sale of Government publications in England and Wales only, £36,000 was stated to be the likely amount of the gross annual sale; whether this sum was based upon actual experience of sales effected or partly on estimate; and, if the latter, what was the proportion estimated for, and why, if the year selected was an exceptional year or the amount largely speculative, it was not so stated in regard to tenders invited by a Government Department; whether Her Majesty's Stationery Office have made considerable reductions in the sale prices since the present contract was entered into, without any corresponding readjustment of the trade discount or the annual premium paid by the contractor; whether the contractors have explained that no compensating increase in sale can result fromt he reduction in price; and whether it is in accordance with usual practice that such changes should be made during the currency of the contract?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I have not been able to verify all the figures given in the hon. Member's question, but I believe they may be taken as fairly representing the facts; there has no doubt been a falling off since the year 1884-85. The figure of £36,000 was given in the advertisement for tenders, not as an average, but as a rough statement of the sale in the particular year 1884-85, that being the latest year for which the Stationery Office could give a sufficiently complete statement. There was no reason to suppose that the sales in that year would prove to have been exceptionally large. As regards the reduction in the prices which has been made since the date of the contract, I am advised that it does not constitute a breach of the contract. My hon. Friend is probably aware that the contractor has power to terminate the contract by giving notice.

TRAINING SHIPS.

MR. ROUND (Essex, N.E., Harwich): I beg to ask the Secretary to the Admiralty whether, in view of the intended increase in the Fleet, it is intended to increase the number of training ships; and, if so, whether he would arrange for one of these ships to be stationed in Harwich Harbour?

THE SECRETARY TO THE ADMIRALTY (Mr. FORWOOD, Lancashire, S.W., Ormskirk): The intended increase to the Fleet will not necessitate any addition to the present number of training ships, and, therefore, I am afraid no hope can be held out of stationing a training ship at Harwich.

ZULULAND.

MR. THOMAS ELLIS (Merionethshire): I beg to ask the Under Secretary of State for the Colonies what British troops are now serving in Zululand, and whether the peace and order of the country have been so recovered as to allow of the early withdrawal of the 6th Inniskilling Dragoons and Royal Scots; and whether he can state the total expense incurred by the employment of British troops in Zululand since the disturbances which took place after the restoration of Usibepu?

BARON H. DE WORMS: (1.) The British garrison in Zululand consists of about 1,000 men, and the Local Authorities advise that the force cannot be reduced until a decision has been come to with regard to the sentence passed on Dinuzulu and the other Chiefs. (2.) I am informed by the Secretary of State for

War that the total military expense caused by the disturbances amounted to £52,000 from April to October, 1888. The extra cost of 600 troops above their cost at another station from 1st December, 1887 (the date of the restoration of Usibepu) to 31st October, 1888, was £7,333. Since October, 1888, the extra cost of 1,000 troops to 31st March, 1889, was £6,842.

MR. T. ELLIS: When will the hon. Gentleman be able to lay on the Table the Report of the trial of the Chiefs?

BARON H. DE WORMS: A portion of the Report has been received, and has been laid on the Table; but the full Report is not yet complete.

MR. T. ELLIS: A promise was given that the whole should be laid on the Table early in August, and I find from a reply given to a question in another place that the Report was received some days ago.

BARON H. DE WORMS: A portion only was received and presented to the House some time ago. We are awaiting the concluding portion.

MR. T. ELLIS: May we hope that it will be laid on the Table before the Prorogation?

BARON H. DE WORMS: I cannot give a promise to that effect. That part of the evidence which has been received is very voluminous, and it will have to be printed.

MR. THOMAS ELLIS: Is it a fact that, on the 24th August, 1888, the Resident Magistrate of the Etshowe District of Zululand sentenced Nratu, alias Umsidusi, to 50 lashes, which were inflicted in 10 instalments? I wish also to ask whether, on the 20th of November, 1887, three men, by name Sikwata, Mahlatini, and Ngunya, were sentenced to 25 lashes each, and were immediately flogged, without previous reference to the Chief Magistrate; and, whether, in January, 1888, Mgongosa, Umlunsuza, and others were flogged at the Ndwande Magistracy without trial and without reference to the Chief Magistrate?

BARON H. DE WORMS: The Secretary of State has not received information as to these cases, but he has called for a Return, which will include any that may have taken place in 1888, and will call for particulars as to that which is stated to have occurred in 1887.

MR. BRADLAUGH (Northampton): I understood the right hon. Gentleman to say, some time ago, in answer to a question by me in reference to one of these cases, that the Secretary of State would cause inquiry to be made.

BARON H. DE WORMS: Inquiry was made, but no answer has yet been received.

IRELAND—SUB-COMMISSIONER ROBERTS.

MR. NOLAN (Louth, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Mr. Roberts, one of the Sub-Commissioners under the Land Law (Ireland) Act, and member of a Court held in Ardee last month, was, during the week, the guest of a Mr. Lee Norman, a local landlord interested in some of the cases tried before the Court; and, whether he will issue instructions to the Sub-Commissioners not to accept hospitality from people who are parties to proceedings in their Courts?

MR. A. J. BALFOUR: I assume that this is a repetition of the question placed on the Paper for the 18th of July, but not then asked by the hon. Member. The Land Commissioners then reported that Mr. Roberts had informed them that he has never been inside Mr. Lee Norman's house, as alleged in the question. Mr. Lee Norman's name did not appear in any way on the list of cases for hearing at Ardee in July before the Sub-Commission, of which Mr. Roberts was a member. The Commissioners have always been most particular in requiring that Assistant Commissioners should not accept of hospitality from anybody while on Circuit, and a rule to this effect has been in operation for years.

LABOURERS' DWELLINGS.

MR. NOLAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the recommendations made after an inquiry held by the Local Government Board in October, 1886, into certain schemes for the erection of labourers' dwellings in the Castlebellingham Division of Ardee Union, County Louth, Ireland; and, whether any further steps have been taken in the matter, and, if not, what has been the cause of the delay?

MR. A. J. BALFOUR: The Local Government Board duly made a Provisional Order in connection with the erection of the cottages, and sanctioned a loan for the purpose. The subsequent delay appears to have arisen through informalities in the applications made to the Land Commission to have fair rents fixed for the lands taken, and to the death of the landlord, which rendered further action on the part of the Guardians necessary. The matter, however, is now in a forward state.

MR. NOLAN: Who is responsible for the informality?

MR. A. J. BALFOUR: I presume the Local Authorities, but I cannot be sure of that.

MR. NOLAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that an improvement scheme for the erection of a labourers' dwelling in the townland of Haggardstown was made on the 14th November, 1887, by the Guardians of Dundalk Union, County Louth; that the local inquiry was held on 29th March, 1889; and that no opposition was offered on the part of either landlord or tenant; and, whether the Guardians are still of opinion that a necessity exists for the carrying out of the scheme; and, if so, why the sanction of the Local Government Board is withheld?

MR. A. J. BALFOUR: The facts are substantially as stated in the first paragraph. The dwelling proposed to be provided by the scheme was intended to replace a house occupied when the scheme was made and condemned by the Medical Officer as unfit for human habitation; but on the Local Government Inspector visiting this house on the occasion of his inquiry, he found it closed and vacant, and learned that the man who occupied it had obtained a house and employment elsewhere. The Local Government Board therefore, on the Inspector's recommendation, declined to sanction the Guardians' proposal on the ground that the new cottage was not required. The Guardians have not made any communication to the Local Government Board showing that necessity now exists for the house referred to.

MR. CONYBEARE.

MR. MAC NEILL (Donegal, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will give the date of the Medical Report which has been received respecting Mr. Conybeare's health; whether it made any, and what, reference to the repeated complaints made by Mr. Conybeare as to the rheumatic affection from which he is suffering, or to the complaints made by Mr. Conybeare respecting the weakness of and pain in his eyes, which he attributes to the whitewashed walls of his cell; whether, inasmuch as Mr. Conybeare complains of suffering constant pain, sometimes so severe as to entirely cripple him and prevent him from walking, he will have further and fuller Reports sent as to Mr. Conybeare's condition; whether it is the fact that on Monday last Mr. Conybeare could get only half an hour's exercise, owing to the wet weather, and on Tuesday he and all other prisoners were confined to their cells the whole day, in consequence of the rain; whether, in view of these facts, he will reconsider his opinion that no sheltered exercise ground is needed; and, whether there is any other prison in England or Ireland in which first-class misdemeanants are confined to one small cell similar to that which Mr. Conybeare is compelled to occupy?

MR. A. J. BALFOUR: The General Prisons Board state that the particular Medical Report as to Mr. Conybeare's health, to which I presume the hon. Member alludes, is dated the 25th of July. This report stated that Mr. Conybeare had a slight attack of lumbago, and one occasion had a slight pain in his shoulder. The Report made no reference to any alleged complaint by Mr. Conybeare rsspecting his eyesight or the colour of the cell walls. As regards the allegation in the third paragraph, it is stated in a further Report received from the medical officer on Saturday last, that Mr. Conybeare is in good health, that the only thing he has complained to the medical officer of is chronic lumbago, and that in all other respects his bodily health is satisfactory. The Governor of the prison reports that on the previous Monday Mr. Conybeare got not half an hour's exercise, as is alleged in this question, but one hour's exercise. He would

not take his afternoon's exercise owing to the inclemency of the weather. On the following day he and the other prisoners, with two exceptions, were prevented from taking exercise in consequence of the rain. The Prisons Board adhere to their opinion that the strongest objection exists to the suggested erection of sheds in prison exercise yards. The Board state that the rule as to first-class misdemeanants, only requires that a "room or cell" shall be provided for such prisoners, and that there are several prisons in Ireland in which only cells are available for the purpose.

MR. SEXTON (Belfast, W.): Is it not the fact that the statute secures to every prisoner a right to two hours' daily exercise in the open air? Seeing the large sums of money annually voted for the repair and maintenance of prisons, will not the right hon. Gentleman instruct the Prisons Board to have sheds erected for daily exercise in inclement weather so that the prisoners may be enabled to keep themselves in health?

MR. A. J. BALFOUR: I can add nothing to what I stated yesterday—namely, that I will make inquiry as to what the practice is in England. In face of the strong objection of the Prisons Board I can make no promise.

MR. W. MACDONALD (Queen's County, Ossory): Cannot an order be given for the removal of Mr. Conybeare from a prison which is not in a proper sanitary condition, and in which there is no cell fit for a first-class misdemeanant?

MR. A. J. BALFOUR: The hon. Member assumes two things—first, that the prison is in an insanitary condition; and, next, that it contains no cell fit for the imprisonment of a first-class misdemeanant. The evidence before me does not support either of those assumptions.

DR. KENNY (Cork, S.): Is it not the fact that the cell occupied by Mr. Conybeare is placed in such a position that it is directly in a draught, and so situated as to make it absolutely necessary that the window of the cell should be kept constantly open, so that the hon. Member has the alternatives of getting rheumatism or of being asphyxiated at night? Will the right hon. Gentleman give directions that Mr. Conybeare shall be removed to a cell which is in a proper condition, and not sent out of prison at the end of his sentence a complete wreck?

MR. A. J. BALFOUR: I have no information in regard to the facts mentioned by the hon. Member, but we are continually watching all matters concerning the health of prisoners.

DR. KENNY: Is that a reason why no action should be taken when important facts are brought under the notice of the right hon. Gentleman?

MR. A. J. BALFOUR: The mere fact that the hon. Member alleges certain facts does not conclusively prove that they are facts.

DR. KENNY: I allege them on medical authority.

LIGHT RAILWAYS.

MR. O'HANLON (Cavan, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he has got a copy of the Resolution of the Cavan Board of Guardians, requesting the Government to include a line of railway from Oldcastle, in the County of Meath, to Crossdony, in the County of Cavan, via Kilnaleck, in the proposed legislation for the extension of railways in Ireland; and, if he intends giving that Union an answer, and what that answer will be?

MR. A. J. BALFOUR: A copy of the Resolution mentioned has been forwarded to me. I have already replied to it, to the effect that representations on behalf of any particular scheme will be considered in the event of the Light Railways Bill becoming law. I also alluded to the fact that the Parliamentary Representative of one division of the county was not irresponsible for the obstacles which the promoters of the measure had still to surmount.

WAR OFFICE CONTRACTS.

MR. HANBURY (Preston): I beg to ask the Secretary of State for War whose duty it is to find out whether the Factory Clause, introduced into War Office contracts as a security against sweating, is being properly carried out in each case?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The Director of Contracts will make every effort in his power to secure the enforcement of the Factory

Clause in the War Office contracts as a security against sweating; but it is exceedingly difficult for the Department to make sure of doing so without a very extensive inspection, and the real security for enforcing it must rest with the workmen themselves.

THE INDIAN FOREIGN OFFICE.

MR. BRADLAUGH: I beg to ask the Under Secretary of State for India whether the Secretary of State has received a copy of a letter addressed to Members of this House, intituled, "India. The Queen-Empress's Promises: How they are broken," issued from the Indian Political Agency, and written by Mr. William Digby, C.I.E.; whether he is aware if the statements contained therein are accurate, and the documents quoted, (1) a memorial to the Viceroy from the Chandalin Maharani of Rewa, and (2) an autograph letter from the Maharaja of Kashmir, are authentic; and whether he will cause inquiry to be made into the allegations in the said letter regarding the administration of affairs controlled by the Indian Foreign Office, in connection with the States of Gwalior, Rampur, Bhopal, Rewa, and Kashmir?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The Secretary of State has received a copy of the letter in question. He cannot commend the accuracy of its statements, nor vouch the authenticity of the documents quoted. The Secretary of State declines to institute an inquiry into the administration of Native States by the Government of India at the instance of a private individual. All the Native Chiefs of India can make representations to the Secretary of State through the Government of India, and can appeal to him against any orders which are passed by that Government. No such representations or appeals have been received by the Secretary of State from any of the Native States mentioned in the question.

THE LIMAVADY TRUSTEE BANK.

MR. HOWELL (Bethnal Green, N.E.): I beg to ask the Chancellor of the Exchequer whether he is aware that the average of each individual deposit at the Limavady Trustee Bank in 1887, as given in the Annual Returns, is £14 18s. 11d., whereas the average for the whole of Ireland is only £5 16s. 11d.; and that this extraordinary divergence has existed for several years; whether this fact is *primâ facie* evidence that illegal deposits have been received, and that the Government have paid interest to the trustees on illegal deposits; and whether any steps have been taken by the National Debt Commissioners, in this and similar suspicious cases, to ascertain if illegal deposits are taken, and to prevent frauds upon the Exchequer?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The hon. Member has correctly stated the average individual deposits in the Limavady Savings Bank, as represented in the Parliamentary Return, as £14 18s. 11d., whereas the average for the whole of the Irish Savings Banks is £5 16s. 11d. There are Irish Savings Banks, however, where the average individual deposits are still higher than in the case of Limivady; while there are some where the average deposits appear to be abnormally low. The high average in the case of Limavady does not necessarily imply that there has been any illegality, and, so far as the National Debt Commissioners can determine, the figures supplied may be correct. The accounts of the Savings Bank rendered to those Commissioners show the deposits in the year 1887 to have amounted to £9,552, and the payments to £8,886. The Parliamentary Return shows that there were 639 receipts, averaging £14 18s. 11d. each, equivalent to a total of £8,886. There is nothing on the face of these figures sufficiently suspicious to justify any special inquiry of the trustees.

THE DECCAN MINES COMMITTEE.

SIR GEORGE CAMPBELL (Kirkcaldy): I beg to ask the Secretary to the Treasury if he can tell who is responsible for the fact that the Index to the Report of the Deccan Mines Committee of the 6th August, 1888, has been distributed on 9th August, 1889; and, if measures can be taken to check the waste of public money in printing Papers when they are quite out of date?

MR. JACKSON: I have not been able to get sufficiently full and complete information to enable me to answer the

question of the hon. Gentleman; but I am bound to admit, at once, that the index to a Report nearly 12 months behind time is altogether unjustifiable. Measures will be taken to obviate the recurrence of a similar inconvenience.

THE LICENSING LAW.

MR. MACLURE (Lancashire, S.E., Stretford): I beg to ask the Secretary of State for the Home Department whether he is aware that the Clerks to Justices of the city of Manchester in summoning a meeting of the Justices to appoint a Committee under the 38th Section of "The Licensing Act, 1872," and for other business connected with the approaching Brewster Sessions, have appended the following notice:—

"N.B.—We desire to call the attention of the Justices to the interpretation of the Licensing Law, as given by the Law Officers of the Crown, which is in effect that no person can act as a Licensing Justice who is a shareholder in any Company (Railway or otherwise) which is a retailer of any Intoxicating Liquor in the Licensing District for which he acts or in the adjoining district."

Whether, in fact, a railway shareholder in a company having licensed premises in the county or city or the adjoining county, city, or borough for which he acts, and who may sign an occasional license, or act at any sessions for transfer of licenses, or for other purposes under the Licensing Act except as to fining for drunkenness or breach of the Licensing Laws, is liable to a penalty of £100; and, whether, in the event of the Railway Shareholders (Licensing Sessions) Bill being withdrawn, owing to the late period of the Session, the Government will bring in a Bill next Session to relieve shareholders in railway and other companies from the disqualification and penalties for acting as Justices at Licensing Sessions?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I have no information as to the facts stated in the first paragraph of my hon. Friend's question. As to the second paragraph, I am advised that a railway shareholder in a company having licensed premises in the places described is disqualified from acting as justice in the places in any cases but those excepted in Section 60 of the Licensing Act of 1872; and if he acts knowingly he appears to be liable to a penalty. As to the third paragraph, the Government will consider the suggestion of my hon. Friend; but he must excuse me from giving a pledge as to legislation next Session.

THE IRISH POLICE AND PRIVATE MEETINGS.

MR. MURPHY (Dublin, St. Patrick's): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, at a meeting held in the private dwelling of a Mr. Bagnall, at Tallaght, in the County of Dublin, on the 28th of July last, to consider questions relating to the Dublin and Blessington Tramway, a force of Constabulary, accompanied by a Government note-taker, demanded admission to the meeting; what justification had the police for this intrusion; and will directions be given to prevent a repetition of such conduct on the part of the Constabulary at Tallaght?

MR. A. J. BALFOUR: It appears that the meeting was summoned by placard, to protest against the tramway, and it was to have been held in the open air, but was afterwards adjourned to Mr. Bagnall's house. The police on being refused admission made no attempt to enter the house, and, therefore, there was no intrusion.

THE CANADIAN MAIL SERVICE.

DR. KENNY: I beg to ask the Postmaster General, whether he has received a copy of a resolution passed unanimously by the Cork Harbour Commissioners, at their meeting on the 7th instant, in support of the memorials of the Londonderry Corporation and the Chamber of Commerce, addressed by those bodies to the Government on the subject of the alleged proposed change in the Canadian mail service, whereby Foyle would cease to be a port of call for said mails; and whether the Government have any such change in contemplation; and, if so, whether they will abandon it, and leave undisturbed the existing arrangements?

*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): I have received from Cork a copy of a memorial addressed by the corporation of that city to the Prime Minister on the subject of the Canadian mail service.

The mail service between this country and Canada is provided by the Canadian Government; and I can only repeat the statement made on the 1st inst. by my hon. Friend the Under Secretary for the Colonies that the subject is one for that Government to deal with. The Imperial Post Office has really no voice in the matter.

DR. KENNY: Will the right hon. Gentleman ask the Under Secretary for the Colonies to communicate with the Canadian Government on the subject, in order to prevent the Foyle from ceasing to be a port of call?

*MR. RAIKES: The hon. Member had better address a question to my right hon. Friend the Under Secretary for the Colonies. The question is rather one for the Colonial Office than the Post Office.

THE MINES INSPECTORS' REPORTS.

MR. FENWICK (Northumberland, Wansbeck): I beg to ask the Secretary of State for the Home Department, whether he can now state when the Mines Inspectors' Reports will be available to Members? Whether it is a fact that these Reports have been in the possession of the Government since March last? And, whether he will take such steps as may be necessary to ensure an earlier issue of these Reports next Session?

MR. MATTHEWS: The final proofs of the Mines Inspectors' Reports have been in the printers' hands for more than a week, and I hope the Reports will be ready for issue in the course of a day or two. The Reports have been in possession of the Government since March last; but when the manuscripts were in course of being set up it was decided for the purposes of economy and convenience to alter the usual manner of printing and presenting the Reports, and this has led to a considerable delay. I will do all I can to secure an earlier issue next Session.

MR. HOWELL: Would it not be possible to give a summary of these Reports earlier in the Session?

MR. MATTHEWS: I am afraid that that would be throwing on the Inspectors an additional amount of labour beyond the scope of their ordinary duty; but I will consider the suggestion of the hon. Member.

THE ULSTER AND TYRONE CANALS.

MR. JORDAN (Clare, W.): I beg to ask the Secretary to the Treasury whether, in accordance with the provisions of "The Ulster and Tyrone Navigation Act, 1888," the agreement of transfer has been ratified; whether the company has commenced to repair the Ulster and Tyrone Canals, and, if so, to what extent; whether the Treasury has yet paid over to the company any money; and whether the Treasury has negotiated, or is in process of negotiating, a loan to the company?

*MR. JACKSON: The agreement referred to has been completed, and the canal has been handed over to the Lagan Navigation Company, who have begun to repair it and to receive instalments of the Parliamentary grant. I am sorry that, owing to the absence of notice of the question, I cannot give the hon. Member particulars of the amount of repairs done by the company, and of the amount of advances from the grant made to them; but I may say that the amount of the advances is determined by the progress of the work. No loan, so far as I know, is in process of negotiation at the present time.

MR. JORDAN: Is it the fact that money has been paid over to the company by the Treasury?

*MR. JACKSON: Yes, some money has been paid over under the agreement, but I am not able to state the amount because I have not yet had time to make the necessary inquiries.

MR. JORDAN: If I repeat the question on Friday will the hon. Gentleman give me the information?

*MR. JACKSON: Yes, Sir.

IRELAND—LAND ACT—RENTS IN KILKENNY.

MR. CHANCE (Kilkenny, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, since the passing of "The Land Law (Ireland) Act, 1887," any applications by leaseholders were heard for that part of county Kilkenny which is in the union of Waterford; whether notices of application by leaseholders from that district, entered before 29th September, 1887, are still unheard; whether the landlords, in those cases, have exacted the unreduced rents from which relief was sought; and, whether tenants, whose

lands are valued at more than £50, have any protection from the execution for the recovery of ?

MR. A. J. BALFOUR: I am sorry that I have not yet been able to obtain the necessary information to enable me to answer the question.

MR. CHANCE: Will the right hon. Gentleman be able to answer the question if I repeat it on Thursday?

MR. A. J. BALFOUR: I hope so.

AGRICULTURAL STATISTICS.

MR. CHANCE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, in 1888, Returns were made by the Enumerator of Agricultural Statistics, concerning the farm of Mr. James Bowes, of Huntstown, Tullaroan, County Kilkenny, during the imprisonment of Mr. Bowes, under "The Criminal Law and Procedure (Ireland) Act, 1887;" whether the information contained in such Returns was obtained from Mr. Bowes or with his consent; whether such information was, in fact, supplied by the police; and, whether steps will be taken to secure that in this case inaccurate and misleading statements will not be included in the official agricultural statistics.

MR. A. J. BALFOUR: The Registrar General reports that the information concerning the farm was furnished to the police in 1888 by "Alick Flood," but whether by Mr. Bowe's permission or not there is no information. The information is included in the Returns already presented to Parliament.

THE DUBLIN DEAD LETTER OFFICE.

MR. T. M. HEALY (Longford, N.): I beg to ask the Postmaster General if a Catholic official of long standing and high character has been recently removed from the Dublin Dead Letter Office, and an Orangeman put in his stead; upon what grounds were the changes made; and upon whose initiative and recommendation?

*MR. RAIKES: I understand that on the 20th of April last, and again from the 14th to the 31st ultimo, the Principal Officer in charge of the Returned Letter Office in Dublin was absent, and that Mr. Maberly, who is the second in rank in that office, filled his place. The Principal Officer was, on the first occasion, on leave of absence for the day, and on the second occasion he was required to perform duty in another branch by the Secretary. The religion of the Principal Officer is not known to me.

MR. T. M. HEALY: I am not aware whether my question has been answered or not. I want to know whether a Catholic official of long standing and high character has been removed and replaced by an Orangeman?

*MR. RAIKES: I stated that I have no knowledge whether the gentleman referred to in the question is a Catholic or not; but he has not been removed.

MR. MABERLEY AND THE SPECIAL COMMISSION.

MR. T. M. HEALY: I beg to ask the Postmaster General how often since the appointment of the *Times'* Commission has Mr. Maberly, of the Dublin General Post Office, been absent from his post, and for what periods; has Mr. Maberley access to the Dead Letter Office; how often has he visited Mr. Soames, solicitor to the *Times*, or his *employés*, or been to the office of the *Times* solicitor or his agents; did he submit returned letters or papers, which should be in the custody of the Post Office, to the agents of the *Times*; had he the authority of the Postmaster General for this; if Mr. Maberly was served with a *subpœna duces tecum* by the *Times*; by what means was the *Times'* solicitor able to specify the documents in the confidential custody of the Post Office, which he was required to produce; and what were the names of the addressor and addressees of the letters which Mr. Maberly produced?

*MR. RAIKES: Since the appointment of the Special Commission Mr. Maberly has been absent three times—namely, from the 24th of October last to the 28th of that month; from the 7th of December, 1888, to the 20th of March; and from the 9th instant to the present time. The first and last periods he was on his ordinary annual leave. The second period he was on sick leave under medical certificate, and during this period he was summoned to London by subpœna from the President of the Special Commission. Mr. Maberly is second in rank in the Returned Letter Office in Dublin, and takes charge of

that office in the absence of his superior officer. I have no official knowledge of how Mr. Maberly may have spent his time, or whom he may have visited during his absence from his official duties, but he has never received or asked the sanction of the Department for any interview with Mr. Soames, or other persons in the employ of the *Times*. I understand that previously to the service of the subpœna he had received no communication directly or indirectly on the subject from anyone. Mr. Maberly did not submit any returned letters or papers to the agent for the *Times*. The solicitor for the *Times* specified nothing so far as the Post Office is aware. The President directed the production of certain books, and Mr. Maberly was authorised to produce in Court, if required, the only books which answered to the terms of the subpœna. No letters were produced by Mr. Maberly.

MR. SEXTON: Can the right hon. Gentleman say whether it was Mr. Maberly, or some other official in the Dublin Office, who lately opened a letter addressed to me by the President of the United States?

*MR. RAIKES: The right hon. Gentleman is perfectly well aware that I endeavoured to prosecute an inquiry into the matter, but was unable to do so in consequence of the right hon. Gentleman declining to give up the envelope to the officers of the Department.

MR. SEXTON: Did I not submit the letter to the right hon. Gentleman, and did he not point out, even before I noticed the fact, that not only had the letter been opened, but that fresh gum had been used to seal it up again?

*MR. RAIKES: The right hon. Gentleman was good enough to show me the letter, and I believed that it had been opened, so far as I could judge, but it was necessary to place it in the hands of officers in the Department, who are experts in matters of that kind. I am entirely unable, in the absence of evidence, to say by whom the letter has been opened, when or where.

MR. SEXTON: Will the right hon. Gentleman give an undertaking that if I give him the envelope it will not be allowed to pass out of his hands or to be destroyed?

*MR. RAIKES: The right hon. Gentleman will, I hope, have sufficient confidence in my common honesty.

MR. T. M. HEALY: I beg to give notice that I will call attention to the conduct of Mr. Maberly and the general irregularities of the Dublin Office upon the Post Office Vote.

TURKEY AND ARMENIA.

MR. SUMMERS (Huddersfield): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to the following allegations with respect to the condition of the Armenian subjects of the Sultan, namely, that at Diarbekir robberies and burglaries are being patronised by the head of the local police, who has organised a gang of robbers from among the convicts; that Kurdish ruffians recently strangled an Armenian merchant named Kevork, carried off his goods, and threw the corpse of their victim into the Tigris; that at Mardin, manifestoes have been placarded calling upon the Mahometans to massacre the infidels; that the Sultan has ordered the dissolution of Armenian societies engaged in commercial pursuits, and that the police have entered the premises of these societies and confiscated books, accounts, and money; that the court martial instituted at Yildiz under the presidency of Dervish Pasha continues to sentence Armenians to years' hard labour or perpetual exile, and that the Reverend Boghos Vartabed, who was imprisoned last autumn on the petty charge of having published 15 years ago a pamphlet on Armenian affairs, has been found guilty by this tribunal and condemned to perpetual banishment; and, whether he is able to give the House any information with regard to these allegations; and, if not, whether he will cause inquiry to be made.

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N. E.): The information we have received would not justify us in accepting as accurate the statements suggested in the question, but the details cannot be examined in an answer to a question. I have only two days ago laid full Papers on Armenia upon the Table. The attention of Her Majesty's Ambassador at Constantinople will be called to the questions put by the hon. Member.

MR. COCHRANE-BAILLIE (St. Pancras, N.): May I ask the right hon. Gentleman whether his attention has been called to a telegram sent by the Governor-General of Van to the Imperial Government, and published in the *Levant Herald* of June 25, which telegram states that two brigands killed in a fight with the Turkish gendarmerie were, from documents found on their person, discovered to be Armenians disguised as Khurds, having correspondence with Armenians established in London and other cities of Europe, and whose real motives were to stir up a political agitation.

*SIR J. FERGUSSON: In reply to my hon. Friend the Member for North St. Pancras, he showed me the statements read by him on entering the House, and, if I am not mistaken, they are in one of a series of able papers called "Diplomatic Sheets." There are reports on either side contradictory of each other in regard to such occurrences; but Her Majesty' Government could not accept either as authentic without further information.

DERRY GAOL.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he has ascertained the facts as to the death of two men, and the dangerous illness of a third, immediately after release from Derry Prison; whether a prisoner, under the Criminal Law and Procedure (Ireland) Act, named John M'Gee, was released at midnight on Thursday last in a delirious condition, and died of typhus fever on his way home to Falcarragh; and, if he can generally state the result of the inquiry by the medical member of the Irish Prisons Board into the sanitary condition of the Derry Prison.

MR. WILLIAM M'ARTHUR (Cornwall Mid, St. Austell): I wish, also, to ask whether there have been any cases of fever in Derry Gaol within the past week, and are there any there now? How many prisoners under the Criminal Law and Procedure (Ireland) Act were discharged on Thursday last, and was their discharge due to the outbreak of fever or the completion of their sentences; and whether he is aware that two of the prisoners so discharged are since dead of typhus fever; and, if so, whether he intends still to retain other prisoners, including the honourable Member for the Camborne Division, in Derry Gaol, exposed to the risk of contagion?

MR. A. J. BALFOUR: I cannot give a conclusive answer to the first paragraph until I receive a report from Londonderry; but I still hope that we may rely on the negative evidence, which is based on the fact that no report of the kind has reached me. Perhaps allusion is made to the case of a man Seize, who was discharged on July 13 on the ground of ill-health. He was at the time thought to be recovering from inflammation of the lungs. With regard to M'Gee, the inquest is still proceeding. I understand that the cause of death was not typhus, but tuberculosis.

MR. SEXTON: Whether the man died of tuberculosis or typhus, is it not the fact that he was twice in the hospital, and that when he was discharged at 12 o'clock on the Thursday night a warder refused to help him, and he fell forward upon the ground? Is it not further a fact that he was kept so long in prison in a dying state that when he was turned out he was delirious; and did not the emergency men in charge of the farm from which this poor tenant had been evicted when they heard of his death hoist the Union Jack on the roof of the premises?

MR. A. J. BALFOUR: I rather think that this was not one of the men who had been evicted, but that he was a tenant upon that part of the estate which had been sold. With regard to the earlier part of the question of the right hon. Gentleman, I have no information except on one point—namely, that he had been in the hospital. I believe that he had been twice in the hospital.

MR. T. M. HEALY: Will the right hon. Gentleman ascertain whether these savages, the emergency men, did hoist the Union Jack when they heard of the man's death; and will he continue to protect the emergency men in their savageries?

MR. A. J. BALFOUR: I said nothing about their being protected.

MR. T. M. HEALY: That is not the point. Did the emergency men in charge of this farm hoist the Union Jack when they heard that M'Gee was dead?

MR. A. J. BALFOUR: I have received no information on the matter.

MR. T. M. HEALY: Will the right hon. Gentleman be able to answer the question on Thursday?

MR. A. J. BALFOUR: I hope so, but how soon I may be furnished with a report I am unable to say.

DR. TANNER.

MR. T. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been called to the judgment of Chief Baron Palles in Dr. Tanner's case, on the question of appeals, as follows:—

"He felt very much the position in which the Court was placed in that case of a quasi criminal nature, from their decision, in which there was no appeal to any higher tribunal. Were it a case of a Bill of Exchange involving only £5, the party decided against could take it to the House of Lords. But here, notwithstanding the important questions that were at stake—notwithstanding the case was one of a nature which for a long series of years had not been presented to any Court either in England or Ireland—their decision, whether right or wrong, was absolutely final, and would settle once for all the course to be adopted in this country. He wished that some one interested in the right administration of the law in this country would turn his attention to the question whether by any legislative means an appeal could be given to the House of Lords in these important cases of a criminal nature;"

and the following on the question of sureties for good behaviour:—

"Although, in his opinion, holding a man to bail for his good behaviour was a grave and serious punishment, the law did not regard it as such, and had not regarded it as such since the time of Edward III.; and if they wanted to make what every man of common sense knew was a punishment to be dealt with by the law of England applicable to other punishments, the law was in such a state on the subject that recourse should be had to an Act of Parliament. . . . He regretted extremely this anomaly in the law, which could only be dealt with by the Legislature;"

And do the Government intend to take any steps to improve the law in the direction recommended by the highest Irish legal authorities?

MR. A. J. BALFOUR: I understand that the Chief Baron made use of the observations referred to in the earlier part of the question. The suggestion referred to is part of a very large subject, about which there is a very decided difference of opinion among legal experts, and to give effect to which would involve the repeal of those portions of the English and Irish Judicature Acts which deny the right of appeal in criminal matters. The subject is, undoubtedly, one deserving of consideration; but it would be obviously impossible to give any pledge with regard to legislation on it. The observations of the Chief Baron, referred to in the second part of the question, dealt merely with the propriety of expressly offering an opportunity for explanation and apology before binding to good behaviour. It should be remembered, however, that in the concrete case the Chief Baron said that if they (the magistrates) thought they would not have been met with humility or submission they were not bound to subject themselves to fresh insult.

MR. T. M. HEALY: Will the right hon. Gentleman give effect to his own pledge on the 17th May, 1887, that there should be an appeal in every case?

MR. A. J. BALFOUR: It is impossible for me to give a pledge on the subject, but the hon. and learned Member can put a question to the First Lord of the Treasury.

MR. T. M. HEALY: I am about to bring in a Bill dealing with the subject, and I shall certainly ask the Government to give it their support.

THE MUNSTER FRIENDS' SCHOOL.

MR. RICHARD POWER (Waterford): I beg to ask the First Lord of the Treasury whether the memorial of the trustees of the Munster Friends' School to the Lords of Her Majesty's Treasury, dated 18th April, 1887, with reference to their loss by the operation of the Landed Estates Courts Act, has been brought under his attention; whether this loss arose from the blunder of an official, paid out of public funds, to prevent such losses; whether he is aware that a guarantee fund is provided by the Bills of the Solicitor General for Ireland relating to Irish title and assurances, to meet such cases; and, whether, considering the extreme rarity of such blunders, and in this case the deserving character of the charity injured, the Government can see its way to make compensation to the trustees of the school, and to institute a guarantee fund, as in other countries, to meet similar contingencies?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I regret to say that the

trustees of the Munster Friends' School have incurred a loss through the oversight in 1881 of an official of the Irish Land Court. The case has been carefully considered by the Treasury, but they are not prepared to admit the liability of the Exchequer to make good losses caused by the errors of the Courts of Law.

CRIMINAL PROCEDURE (IRELAND) BILL.

MR. T. M. HEALY: In asking for leave to introduce a Bill to amend the law as to criminal procedure in Ireland, I wish to say a few words on the subject, which has received a remarkable elucidation in recent days by the judgment of Chief Baron Palles in the case of Dr. Tanner. The object of this Bill is to give effect to the views expressed on that occasion by the Lord Chief Baron. I may also remind the House that on the 17th of May, 1887, the Chief Secretary, in introducing the Criminal Law Procedure Act, otherwise known as the Crimes Act, gave a pledge to the House in regard to extending the law on this subject which has never yet been fulfilled. I am perfectly aware that the right hon. Gentleman has on more than one occasion attempted to explain the reason of the non-fulfilment of his pledge; but, in reality, it was abandoned in response to the letters of the hon. and learned Member for Fulham (Mr. Hayes Fisher), a criminal lawyer, who would have been better engaged in the administration of the criminal law in England than in interfering with that of Ireland, and the hon. and learned Member for Peckham (Mr. Baumann), who knows nothing about the criminal law either of England or Ireland. The right hon. Gentleman, on the occasion to which I refer, said—

"Under the Bill as we have drafted it we have closely followed the Act of 1882, and by the existing law there is no appeal for imprisonment for less than a month. We propose to give an appeal in every case to a County Court Judge, and to the higher tribunals where there are legal technicalities."

The Bill which I now introduce provides, amongst other things, an appeal in the case of a Magistrate sentencing a prisoner in default of giving securities for good behaviour, as in the case of Dr. Tanner. I also propose to give an appeal in cases of contempt of Court, and in all cases of sentences under the Crimes Act, and that there shall be no increase of sentences upon the appeal. In cases brought before the superior Courts on *certiorari* or *habeas corpus*, I propose, notwithstanding the decision of the Court of Queen's Bench that they could not look into the evidence, that the evidence must be examined, and that costs may be given against the Crown. Finally, the Bill provides that no sentence of longer duration than one month shall be given in default of sureties except in cases of assault and battery, and in a case of conspiracy no man shall be held responsible for the action of anyone except himself. These, I think, are extremely reasonable propositions, and I appeal to the Government to allow the Bill to go through the House, so that we may get rid of the scandal of permitting a man to go to the House of Lords on a bill of exchange, while it is impossible to reverse the decision of a Resident Magistrate in a case affecting the liberty of Her Majesty's subjects.

Bill to amend the Law as to Criminal Procedure in Ireland ordered to be brought in by Mr. T. M. Healy, Mr. Sexton, Dr. Kenny, and Mr. Chance.

Bill presented, and read first time. [Bill 375.]

ORDERS OF THE DAY.

TITHE RENT-CHARGE RECOVERY BILL. (No. 272.)

*MR. SPEAKER: Two instructions have been placed upon the Paper, one standing in the name of the hon. Member for Bristol (Mr. Cossham), and the other in the name of the hon. Member for Swansea (Mr. Dillwyn) both of which are, in my opinion, out of order. The first is an instruction to the Committee that they shall have power to insert a provision that all tithe rent-charge payable under the Bill shall vary in proportion to rent payable on the land subject to such charge. But the House decided yesterday that it would not re-open the settlement made by the Act of 1836 for the commutation of tithes. If the Instruction which was rejected yesterday, had been accepted by the House, Amendments might have been proposed that the charge should be varied in proportion to the rent, as desired by the

hon. Member. But the House negatived that Instruction, and thus disposed of his proposition. With regard to the second Instruction, which proposes that it be an Instruction to the Committee to make provision for the application of tithe rent-charge recoverable under the Act in Wales to purposes generally acceptable to the Welsh people, I am of opinion that a Bill for the recovery of tithe rent-charge in a particular way cannot be extended in such a way as to cover the whole question of the application of tithe. That is beyond the scope of the Bill, and so far beyond it that it cannot properly be brought within the scope of the Bill through the machinery of an Instruction.

Bill considered in Committee.

(In the Committee.)

Clause 1.

MR. A. S. HILL (Staffordshire, Kingswinford) moved to leave out the word "a" before "person," and insert "any."

THE CHAIRMAN: I think that the word "a" is sufficient and is quite as good as the word "any."

MR. A. S. HILL: I venture to think that that is not so, and that "a" person entitled to money is not "any" person entitled to money.

The Amendment was not put.

MR. T. ELLIS (Merionethshire): I beg to move in Clause 1, line 5, to leave out "person" and insert "parochial incumbent." I hope the Government will accept the Amendment without much discussion, because it is simply intended to carry out the policy which they themselves declared on the Second Reading of the Bill. The only pretext put forward for bringing in the Bill at all was that there are a certain number of worthy parochial clergymen in Wales, who are unable to obtain their tithe, and the Government therefore desired to make it easy for them to recover it. Her Majesty's Ministers themselves declared that this is not a question of the large tithe owners but the case of starving clergymen dealing with refractory tenants and parishioners. Whatever may be said in regard to giving to the parochial incumbent the power of recovering his tithes, there is no reason why a large powerful and wealthy body like the Ecclesiastical Commissioners should be put upon this new basis. Lay impropriators again should be satisfied with the same remedy as a landowner, whose only remedy is by distress; the only persons to whom this power should be given are the parochial clergy.

Amendment proposed, in page 1, line 5, to leave out the word "person," in order to insert the words "parochial incumbent."—(*Mr. Thomas Ellis.*)

Question proposed that the word "person" stand part of the clause.

MR. S. LEIGHTON (Shropshire, Oswestry): I oppose the Amendment, and hope the Government will not accept it, on the ground that this is not a Bill for the protection of the clergy, but a Bill for the purpose of making a certain property more easily recoverable. It is also a Bill which is to the advantage of the farmer in enabling him to get rid of a disagreeable question. It is only fair that it should apply all round to those who are owners of tithe rent-charge, some of whom are Nonconformists themselves, and undenominational bodies such as schools. I have received a letter from a correspondent, who states:—

"I am unfortunately one of the lay owners of tithes and I am afraid that no one seems to think of us. The present condition of things presses very hardly upon those who, like myself, have a large family and a limited income.',

SIR W. HARCOURT (Derby): The Amendment of the hon. Member behind me has been of use in this respect, if in no other—it has pricked the bladder of the grievance that has been set up as a justification for this Bill. Hitherto we have been given to understand that the measure is necessary in the interests of the unhappy half-starved Welsh clergymen, but now it appears that it is not the clergy in Wales or England who are the special objects of the care of the Government, but the lay impropriators of tithe, especially Nonconformists. That is an entirely new light; it is a Bill to facilitate the recovery of tithe by Nonconformists and lay impropriators. It is wonderful how as we go on in discussions of this kind we ultimately discover the real truth, even when it lies at the bottom of a rather deep well. We are now told that the Bill has not been introduced in the interests or for the benefit of the clergy; that it has nothing to do with Wales nor anything

that has occurred there, but that it is for that unfortunate and ill-used class, the lay impropriators, men like the Duke of Bedford, that the Government are forcing this Bill through the House of Commons on the 13th of August. That is very refreshing information, and it should induce the House to resist the measure still more strenuously.

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I do not propose to follow the right hon. Gentleman in the kind of speech he has just delivered. I hold that it is scarcely fair to suggest that the Government have introduced the Bill in the interests of the lay impropriator or of Nonconformists. That suggestion was a good example of the kind of pleasantry of which the right hon. Gentleman is so fond. I do not think that such observations can assist the House in debating this question calmly, and therefore I shall not say anything further in reply to them. As to the Amendment, it is impossible to accept it. It would perhaps have been better if the mover of the Amendment had disclosed the real motive of his proposal, which was manifestly to prevent the Ecclesiastical Commissioners from levying their tithes. The contention of the hon. Member is that the enjoyment of the new remedy for the recovery of tithe shall be confined to parochial incumbents. Surely if any amendment of the law is desirable it ought to apply to all tithe owners without distinction. The amount of tithe collected by the Ecclesiastical Commissioners in Wales is £28,796, while the whole amount expended by them on the Church in Wales is £67,634, more than twice as much. £35,611 is contributed by the Ecclesiastical Commissioners in support of the benefices of the poor incumbent in Wales, or £7,000 more than is collected by the Commissioners as tithe. Surely a public body who are collecting tithes with the object of handing over the money so collected to the poor clergy, the class of people who, it is admitted, are most in want, should not be debarred from availing themselves of the new remedy which the Bill proposes to bring into existence.

*MR. S. RENDEL (Montgomeryshire): I certainly think that the Amendment is an extremely valuable and important one. If the sole intention of the Government were to protect the poor Welsh clergy I can hardly conceive that they would resist this proposal. The argument of the Attorney General as to the special claim of the Ecclesiastical Commissioners, because they spend more tithe in Wales than is derived from that country, adds in effect insult to injury, for it is felt to be a great grievance in Wales that large sums drawn from England should be expended there for the purpose of buttressing up the Church in Wales. It is an unfair application of national property, which the Welsh people strongly resent. The foundation of the Bill was asserted to be the sad case of the clergy in Wales and the conduct of the Welsh farmers in resisting distress warrants. The Government ought, therefore, to be content to deal with the grievance which they themselves allege to give rise to the Bill, and not under the guise of protecting the clergy to give relief to the lay impropriators—to let in the lay rat under pretence of helping the Church mouse. I certainly do not see why poor little Wales should be made responsible for giving increased value to the tithes of the lay impropriators. We wish by this Amendment to test the good faith and honesty of the Government in regard to a measure which they assert to be simply for the protection of the starving Welsh clergy, and nothing more. If that is really the case they will not, I am sure, resist the Amendment.

MR. H. GARDNER (Essex, Saffron Walden): I heartily support the Amendment, if for no other reason than that which has been stated by the right hon. Gentleman the Member for Derby (Sir W. Harcourt), that if there could have been a doubt as to whom the Bill was intended to benefit that doubt has been cleared up by the hon. Member opposite (Mr. S. Leighton), who distinctly tells us that it is the lay impropriator. We were assured at the stage of Second Reading by the President of the Board of Trade that the Bill was only brought forward in the interests of the clergy in Wales, and if that is so they alone ought to be given the benefit which it is proposed to confer. It ought not to be shared by the lay impropriator. A few days ago a letter, signed "An English Clergyman," appeared in the *Morning Post*, in which the writer congratulated the Government

on having wisely resolved to pass the Bill through Parliament. The point of the remark is in the end, where this Christian pastor says if the Bill does not pass this Session the "enemy," by which title he designates his parishioners, will be immensely encouraged in swindling and defrauding the tithe owners to an extent worse than death itself. The letter seems to show the minimum of Christianity with the maximum of ecclesiastical intolerance. I quote this to show what is behind the Government urging them to pass this Bill. I shall vote with my hon. Friend, and by doing so I shall be carrying out the intention expressed by the Government.

MR. G. OSBORNE MORGAN (Denbighshire, E.): The Attorney General objects to giving a special remedy to one class of tithe owners, and he spoke as if this would be the only remedy; but be it remembered the lay impropriator would still have his remedy, and the only question upon which the whole issue turns is that to which the Attorney General did not address himself. Months ago we were told the Bill was brought forward for the protection of the poor parson, and now we are told it is for the protection of the rich lay impropriator, and especially the Nonconformist lay impropriator. Now, I must say as regards the lay impropriator that he is an individual for whom we have very little sympathy. His tithe is very dubious, but granting that he has a tithe leave him to work it out as he does now. As to the Ecclesiastical Commissioners, it is one of the greatest grievances that they take the money they get from Wales and spend it in support of a Church which the Welsh people regard as an alien Church. On that ground I shall support the Amendment.

MR. HANDEL COSSHAM (Bristol, E.): There are two points I want to urge in favour of the Amendment; the first is, that when the lay impropriator bought his tithe he bought it subject to the existing law, and we have no right to give him more protection than he had when he made his purchase. He is not entitled to the special protection of the House, or to have his property made more secure than it is now. Then I am opposed to giving the power of suing at all, but if we must give it, let us confine it to the narrowest basis. Upon the clergy we may suppose the control of public opinion will be to some extent exercised, but the Ecclesiastical Commissioners are susceptible to no such influence, they are the most difficult body to deal with, the most covetous, the most overbearing of any in the country, and to put this power in their hands is to put it into the hands of an utterly irresponsible body. I believe we should do well to confine this remedy to the parochial clergy, whom we may expect will exercise it with some regard to public opinion.

*MR. J. G. TALBOT (Oxford University): The remarks of the right hon. Gentleman the Member for Denbighshire seem to me to come with very little weight to us on this side, and I will not say on this side only, but to anyone desirous of preserving the elementary principles of law and order in the country. I can understand how irresponsible Members behind him, who feel bound to speak the language of their constituents, commit themselves to wild statements; but how a right hon. Gentleman who has held office, and who, I suppose, expects to hold office again, can lay down such extraordinary doctrines passes my comprehension. First of all, he thinks he has made the discovery that the Bill is proposed in the interest of those who are called the poor parsons.

MR. G. OSBORNE MORGAN: That was the suggestion.

*MR. J. G. TALBOT: But the right hon. Gentleman knows well enough that the state of things in parts of Wales is a public scandal to civilisation. These words are amply justified by the accounts we have heard, and the Home Secretary has vindicated this measure as one for the restoration of order. The Bill is brought in, as I said on the Second Reading, partly for the protection of persons who have quite as much right to the tithe rents as the right hon. Gentleman has to his own property, and partly for the preservation of order, which is equally the interest of all parties. Of course, the right hon. Gentleman knows that the Ecclesiastical Commissioners own a great deal of the tithe in Wales, as also does the house or college to which I have the honour to belong—Christchurch, Oxford. The Commissioners, of whom I am one, hold this property, and until our right to it

is abolished by the right hon. Gentleman and his friends, we must collect it and administer it as best we can. Now, the ordinary process of recovery has not been successful; it has led to scenes of disorder which, I am sure, the right hon. Gentleman must regret as much as we do. The Government come forward with a simpler process; and then the right hon. Gentleman has the assurance to say that, because Corporations are not poor clergymen, he would not assist them to obtain their dues. A still more astounding statement came from the right hon. Gentleman—we heard it before from the hon. Member for Montgomeryshire, but from him I thought we merely had the language of his constituents, but from the right hon. Gentleman it excites more attention—he actually denounced the Ecclesiastical Commissioners for sending into Wales a larger amount of money than they received from Wales, and he resented this as an insult. Now, I should like to know what would have been said had the Commissioners taken away the amount of the Welsh tithe.

*MR. STUART RENDEL: I did not resent the spending of the money as an insult, but as an injury. I said the proposal for special legislation for the purpose of enforcing payment was the addition of insult to injury.

*MR. J. G. TALBOT: Well, then, it is not an insult but an injury. But I think the right hon. Gentleman the Member for Denbighshire told us it was an insult to spend this money on the Welsh clergy. But suppose the Ecclesiastical Commissioners—holding, as we do, a considerable amount of property in Wales, which we must continue to hold until we are deprived of it—suppose we were to divert the whole of this Welsh income to expenditure in some of the large towns in England, would not the right hon. Gentleman be one of the first to complain? Would he not rise at that Table and, in his well-rounded periods, denounce the iniquitous conduct of the Corporation? We have heard the right hon. Gentleman the Member for Wolverhampton talk of the richest Church in Christendom having the duty of supporting its own clergy, and is not that exactly what the Commissioners are doing? I say it is a matter of plain common sense. The Commissioners take the tithe they own by indefeasible title from Wales, and they spend it in Wales. They come to Parliament and say—they, with others—"Allow us to collect the tithe in the most peaceable manner, in the manner least oppressive to those from whom we collect it;" but this is called adding insult to injury, and resistance is now offered to as reasonable a demand as was ever made in Parliament.

SIR WILLIAM HARCOURT: We had a speech from the hon. Member for Shropshire (Mr. Stanley Leighton) from which we learned something, and we have learned still more from the hon. Gentleman the Member for Oxford University. I said we were getting on. We are now unmasking the real battery. The imposture of the poor clergy has been used long enough, and now the real reason for the Bill lies before us. It was only a mild skirmish we had from the hon. Gentleman (Mr. Stanley Leighton), but now the true batteries are opened by the real promoters of the Bill. The hon. Member for the University does not often address the House, but when he does he always enlightens us, and never, I think, has he done so more to the purpose than to-day. In his lofty way he lectured my right hon. Friend for his assurance, and others for speaking the language of their constituents; but if ever a man spoke the language of his constituents it was the hon. Member for Oxford University. I know something of the University of Oxford, and of its qualities as landowner. I know Oxfordshire well, and I can say that if ever you see property there absolutely out of order and in a state of dilapidation and ask as to the ownership, you are perfectly sure to be told it is college property. The hon. Gentleman is the representative of what I should call, on the whole, the worst class of landowners in the country. I speak of matters on which I have knowledge. It is no blame to the College Authorities; their business is not that of land owning and land management; knowledge of the Greek accidence and the integral calculus does not contribute to the management of land, and, as I say, you may tell college property as you pass along the roads. Now, it is on behalf of these colleges that the hon. Gentleman makes this claim for an extraordinary remedy. We reject this claim

I do not dispute their title; I have no wish to take it away; but I say this—that if there is any class of people not entitled as against the farmers and small owners of England to come and ask for an additional remedy in respect of their property, it is the owners of college property, represented by the hon. Gentleman. So far as this Bill is concerned, the hon. Gentleman says they are—not the only but the principal—claimants in this matter. Then the hon. Gentleman talks of the Ecclesiastical Commissioners, and from what I know of them they are much better managers of property than the colleges; they understand it a good deal better; but what is the claim on behalf of the Ecclesiastical Commissioners? Why do the Ecclesiastical Commissioners want further remedies? One of the reasons alleged for the Bill is the need of the poor clergy, who are more or less defenceless, and who find difficulty in applying the legal processes now open to them. It is for this that they are to be provided with the County Court, just as you provide claimants of small debts with the County Court. But you would never have thought of providing, for the purposes of large property, this remedy of the County Court; therefore the argument of my right hon. Friend is perfectly good in this respect. Then the hon. Gentleman, in referring to my hon. Friend behind me, has misstated altogether what he said. What my hon. Friend objected to was that the Ecclesiastical Commissioners should use the funds derived from elsewhere for the purpose of bolstering up the Church Establishment in Wales.

MR. J. G. TALBOT: I was referring to the right hon. Gentleman (Mr. Osborne Morgan), who spoke in denunciation of the Ecclesiastical Commissioners for spending so much in Wales.

SIR W. HARCOURT: Yes, but the hon. Gentleman did not appreciate the point of the remarks that the Ecclesiastical Commissioners devoted large funds, derived from London and elsewhere, to the support of Church purposes in Wales. That is the objection, that these funds are used for the purpose of bolstering up the Church in Wales. Now, the original object of tithes was to provide for the religious instruction of the people of the district where it was raised. It worked well when the feelings of the people were in harmony with the Instruction provided. But a totally different state of things arises when the money is used for other purposes in the hands of a lay impropriator or a college, for purposes with which the people living on the land have nothing whatever to do. This is a good reason for confining this remedy to those who live on the spot and render some service to the people. Now that we have got to the true principle of the Bill, we find that it is not a small Bill at all. It is a very large Bill, and its object is now disclosed to be to increase the value of tithe property. This extra remedy will give an additional screw which will have a distinct money value. The Bill is, in fact, a proprietor's Bill directed against the occupier. It is well that this should be clearly understood by the tenant farmers and yeomen of the country. It is a Bill promoted by proprietors to increase the value of tithe property with a view to redemption. The real point of the Bill has been illuminated by the speech of the hon. Member for the University of Oxford; and it is to be hoped, therefore, that we shall have no more of the trumpery excuse that this is a mere temporary remedy in aid of distressed tithe-owners.

*MR. LLOYD MORGAN (Carmarthen): I had no intention of joining in this discussion, and certainly should not have done so but for an observation that fell from the hon. Member for Oxford University who referred to the conduct of the Welsh people in regard to the tithe agitation as being a scandal to civilisation. I entirely agree it is a scandal to civilisation to put compulsion upon people to pay for a Church and to support an establishment entirely opposed to their convictions. It is all very well to refer to the Welsh agitation as a scandal to civilisation, but consider what has been going on, how the value of agricultural produce has been diminishing and how landlords all over the country have been making large reductions in their rents. It is a scandal that the clergy of the richest Church in the world should exact the utmost farthing when landlords are everywhere granting reductions of their rent. The same language has been applied to other agitations—to the tithe agitation in Ireland 50 years ago. Yet the policy

of that agitation subsequently recommended itself to the Legislature. The position of Wales now is precisely that of Ireland half a century ago, and the agitation will soon extend to England if tithes are pressed as they have been, and are to be, by Bills of this kind forced forward in this way.

*MR. GRAY (Essex, Maldon): Just a word or two in reference to the speech to which we have just listened. I have been doing what little I could do to prevent this Bill passing, and I should be glad if still I could do something that would have that effect; but at the same time I must take the opportunity of saying that I have no sympathy whatever with the views expressed by the hon. Member. I recognise tithe as a property, and I hope that every Englishman and Welshman will do his utmost to meet his obligations so long as he has the means to do so. I could point out to the hon. Member in my own County of Essex places where on one side of the road a field supplies maintenance for a chapel and on the other side of the road a field helps to maintain a church, and I fail to understand why the rent collected for the one field should be described as a scandal, but should be perfectly justifiable when collected for the other field. Perhaps I may say a word or two in reference to the somewhat sweeping criticisms which fell from the right hon. Gentleman opposite in reference to the management of college property. I do not think his was a fair description. He will pardon me for saying that his criticism would have more effect——

SIR W. HARCOURT: I was speaking of Oxford, not of Cambridge.

*MR. GRAY: Well, I was about to speak of Cambridge.

SIR W. HARCOURT: My remarks did not apply to Cambridge. I spoke especially of my knowledge of Oxfordshire. I am a Cambridge man myself, and I believe that the Cambridge property is much better managed than the Oxford property, which is managed about as badly as possible. I take the testimony of the hon. Member as regards Cambridge.

*MR. GRAY: For once the right hon. Gentleman and myself are in accord; we are both standing up for the University that has the proud distinction of having been *Alma Mater* to the right hon. Gentleman. I was speaking of Cambridge, and was about to show that the language of the right hon. Gentleman did not apply to the college property, but I leave that subject. With many hon. Members on both sides, I believe that redemption is the only way in which, sooner or later, we can settle these tithe troubles, and in all our Amendments I hope we shall keep that purpose steadily in view, but we must not to that end seek to increase the value of tithe. I admit the property in tithe, I admit that we ought to pay our debts, but I do not think we are called upon to raise the value of the property with some system of redemption in connection with it in view.

MR. H. GARDNER: I wish to make a few remarks in regard to one observation which fell from my hon. Colleague opposite on one point. His point was that from his own knowledge of property in Essex he was aware that the rent of a field on one side of a road——

THE CHAIRMAN: Order, order! I was unwilling to interrupt the hon. Member for Carmarthenshire, who was making his first speech to the House, and who strayed from the question before the Committee. His speech has, however, been followed up until the question before the Committee is now well in the back-ground. The hon. Member must address himself to that question.

MR. ARTHUR WILLIAMS (Glamorgan, S.): I do not, I am sure, wish to travel away from the Amendment before the Committee, but I must express a hope that my hon. Friend will divide the Committee on this Amendment. Whatever may be the claims of the parochial clergy, they stand upon a different footing from those of lay impropriators, whose ownership of tithes originated in spoliation and the diversion of tithes from their original purposes. The lay impropriator has no claim upon the consideration of the Legislature, and he ought to be left to the remedy given him by the Act of 1836. Yet it is proposed by this Bill to raise the value of the lay impropriator's tithes by 25 per cent. When the Bill was first proposed, and I read it, I came to the conclusion that I must be very stupid indeed in not finding out what its object was. Reading it section by section, I came to the conclusion that

it was the most stupid composition it had ever been my lot to read. It proposes to replace an immediate, an easy, a convenient, and a cheap process, with a process which is circuitous, which involves considerable delay and expense, and imposes a heavy penalty on the tithe-payer. That seemed to me impenetrably stupid until I thought it over and found out the real object of the Bill. That object is not to give an easier remedy, but to give a debt-collecting security, and to increase the value of the property.

THE CHAIRMAN: Order, order! The only question before the Committee is whether this Amendment should be adopted.

MR. ARTHUR WILLIAMS: With the greatest respect, Mr. Courtney, I think in a few sentences I can show why I have ventured to point out this difference. It may be very well that the clerical tithe-owner should have this personal remedy. I think it unfair and unnecessary; but, admitting that he should have it, I maintain that it is not a remedy which ought to be given to the lay impropiator. The hon. Member for Oxford University said he could not wonder at the irresponsible utterances of Members on this side who are bound to speak the views of their constituents. It is very well for an hon. Gentleman representing a great University to put forward personal arguments of that kind against a body of men who are endeavouring to represent honestly the views of their constituents; and, as to the extraordinary language which he says we use, I doubt whether it comes anywhere near the extraordinary language used by clerical and other orators on the other side. We do not charge the other side of the House with swindling, or attempting to swindle, or to defraud the tithe-payer. We put it, at all events, in more Parliamentary language. We say that this process is an unjust process to the tithe-payer, and we also say that it is the duty of the Government to act up to their distinct announcement that the object of of the Bill was to benefit the parochial clergy.

MR. G. OSBORNE MORGAN: I merely rise to correct a misrepresentation—of course, unintentional—in the speech of the hon. Member opposite. What I said was that the Welsh people, and the Welsh Nonconformists especially, resented the application of moneys levied from them to the maintenance of a Church in which they do not believe.

SIR J. SWINBURNE (Staffordshire, Lichfield): I am a lay impropriator, though a small one, and therefore I know something about this subject. How the Government can come forward and break the bargain which has been made between impropriators and tithe-payers by increasing the value of the tithes 25 per cent I really do not know. When this Bill was introduced, I sent a copy of it to my land agent and asked him what its effect would be. His reply was—"It will increase the value of your tithes 25 per cent." I do not know a stronger instance of a Government proposing to increase for electioneering purposes the value of property for the most part in the hands of those whom they believe to be their own supporters, and to increase that value in anticipation of a forced sale. It is also as strong a case as could be of the one-sided breaking of a bargain. Lay impropriators are placed in a position of which they may well feel ashamed. The clergy may have hardships, and I know some of them have, but the greatest hardship is to have an income from a congregation which does not work under them. That is the practical point of view, and I think it will soon all come to this—that each set of labourers should support their own ministers. I shall vote most heartily in support of the Amendment.

MR. W. ABRAHAM (Glamorgan, Rhondda): I do not think I should vote for the Amendment if its sole effect was to make incumbents privileged persons, but I shall vote for it because I believe that we ought not to pay any tithes at all. It is well-known in Wales that the majority of the people in that little country do not want the services of the parochial incumbents. True, they are there; like many barbers' shops they are there. The barbers, perhaps, never shave, because people never go to their shops——

THE CHAIRMAN: The hon. Member must confine his observations to the Amendment.

MR. ABRAHAM: With due respect to your ruling, Sir, I am endeavouring to point out that the clergy ought not

to be made privileged persons at all. As to the spending of money by the Ecclesiastical Commissioners in Wales, I should say that it is not the spending of money we disagree with and denounce. Spend what money you will to help the Church in Wales, but do not compel other people who do not believe in the Church to contribute to that expenditure. It has been said in the Debate that we ought to pay tithes as long as we have the money to do it. The only question I have to ask is—what are we to do if we have no money to pay?

MR. J. ROWLANDS (Finsbury, E.): This Debate has not been brought so near to the real issue as some of us consider right. The Amendment is to leave out the word "persons," and that word includes all persons who have become possessed of the right to levy tithes in some way or other. Those who have bought tithes as a matter of speculation knew that if they were not paid they had to be obtained by distress on the particular ground they were levied on. I think that those gentlemen who have speculated in tithes for purposes of profit stand before the world in a very contemptible position, and I think we are doing our duty to the nation in making them bear the responsibility of the burden they imposed on themselves when they purchased.

MR. T. ELLIS: I think the least the Government could have done would have been to reply to the very serious arguments which have been put forward in the latter part of this Debate. I see on the back of the Bill the names of Mr. Secretary Matthews and Mr. William Henry Smith, and I should have thought that one of those gentlemen would have tried to reply to our arguments. I should like to ask the Government whether they agree to the ordinary definition given of tithes—namely, a tenth of the produce payable for the maintenance of the parish priest. It seems to me it is grossly unfair that the toilers of Durham, and Essex, and other counties should have money extracted from them by the Ecclesiastical Commissioners in the shape of tithes in order that the Establishment in Wales and the system of proselytising the Welsh people may be bolstered up. My Amendment, which limits the operation of the measure to the clergy, is quite in harmony with the real nature of the tithe, and I earnestly appeal to Gentlemen on the other side of the House to follow me into the Division Lobby on this question.

The Committee divided:—Ayes 159; Noes 130.—(Div. List, No. 301.)

MR. STAVELEY HILL: My next Amendment is to leave out "entitled to a sum," and insert "claiming money." The phrase "entitled to a sum" seems to me a doubtful expression, for I do not quite see what the word "sum," means. But what I wish to call attention to is the word "entitled." Does my right hon. Friend intend by these words to give the County Court Judge unlimited jurisdiction with regard to amount? Supposing the tithe comes to £50, £60, or £100 a year, the claimant goes into Court, saying there is a certain amount of money due to him, upon which the question of title is raised. At present where a distress is levied the question of title can only be raised by removal by *certiorari* into a Superior Court, under 7 & 8 William III.; but under this Bill, if the defendant raises the question of title, it will have to be settled by the County Court Judge. I ask those who are looking carefully after the interests of the poor incumbent to consider the position in which he will be placed if he has to fight the question of title. And supposing the sum involved does not exceed £20 a year, that at 25 years' purchase would mean an enormous amount of capital to be decided upon by the County Court Judge.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): No.

MR. HILL: My right hon. Friend says "No." But it is so. Will my right hon. Friend say that he does not allow this jurisdiction without limit to the County Court Judge? I raise the question as to the word "entitled" in order to know how the matter really stands. Are we to have the incumbent set at arm's length by half-a-dozen persons combining together to raise the question of title? If so, then it is a very small mercy you are extending to him. Will my right hon. Friend afterwards agree to some provision limiting the jurisdiction of the County Court Judge? I beg to move my Amendment.

Amendment proposed, in Clause 1, page 1, line 5, to leave out "entitled to a sum," in order to insert the words, "claiming money."—(*Mr. Stave'ey Hill.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. MATTHEWS: I am not quite sure that I apprehend the extent to which my hon. Friend desires to go. Does he desire anybody who is not entitled to receive tithe to recover judgment for that tithe and then to proceed to execution? That is what his words would enable anybody to do.

MR. A. STAVELEY HILL: The right hon. Gentleman misinterprets me altogether. If a man goes into Court, he must go into Court as claiming money; and if he does that, you at once invite the defendant to raise the question of title, because you say "entitled to a sum."

MR. MATTHEWS: If you take away the word "entitled," you apparently deprive the defendant of the power of raising the question whether the plaintiff is entitled, and that is certainly not what we intend. My hon. and learned Friend grew, pathetic over the incumbent who may have to defend his title. He may have to do that now. If the defendant disputes the title, in an action of replevin, all the points of title to the tithe will have to be raised and have to be fought by the tithe-owner or the persons claiming the tithe. It ought to be observed that the points of title that arise in a case of tithe are extremely small. The advantage of the mode proposed by the Bill is that you have to fight the point of law, in the first instance, before the trouble and expense of an execution. Under the arbitrary remedy of distress, you begin by taking the goods, and then you settle the point of law. That is a cumbrous way of doing it. But here you settle it in the first instance. Our intention certainly is, that if there is any doubt about the title of the claimant, that doubt shall be settled by the County Court Judge. With regard to the word "sum," I really cannot understand the verbal criticism. It means the amount of the rent-charge, and how my hon. and learned Friend can think it means anything else I cannot conceive. But if he is in doubt I am willing to add the words "sum of money," and not of anything else.

MR. G. OSBORNE MORGAN: The question raised is very important. As I understand the right hon. Gentleman's argument, this section is to give unlimited jurisdiction to the County Court Judge. There are cases in which the tithe is £500 a year, and instances may arise in which the greatest legal experience will be required to go into the question of title. The County Court Judge, if this Bill passes as it is, will have a more important duty imposed upon him than any he has had before.

MR. ARTHUR WILLIAMS: In the first place, I am entirely of opinion that the clause is not a work of art, for the word "entitle" has been used, when it clearly ought to be "claim." Although it is a small matter, I do hope the word "claim" will be adopted. With reference to the jurisdiction of the County Court, it has been constituted by about 30 Acts of Parliament, and has been extended in every direction, but in every instance it has always been limited as to amount. There is not a single instance, I believe, in which jurisdiction has been given without limitation.

THE CHAIRMAN: I would remind the hon. Gentleman that the words of the clause are "whatever the amount may be."

MR. ARTHUR WILLIAMS: I would venture to suggest that the word "entitled" ought to be struck out.

MR. RANDELL (Glamorgan, Gower): I should be very sorry indeed if, in a case of this kind, the defendants were shut out from making any defence by raising the question of title.

SIR W. HARCOURT: It is not a very material point, but I should have thought the Home Secretary would have seen that if a man claims who has no title, that want of title will be urged against his claim. But to start by saying that a man who goes into Court is entitled, is determining the very thing which may be disputed. It is not only bad drafting, but it is begging the whole question. I would strongly urge the Government to take the ordinary way; but to say before he goes into Court that he is entitled to a sum of money is, in a logical sense, putting the cart before the horse.

*SIR R. WEBSTER: I do not think we need occupy the time of the Com-

mittee with this minor point. Nobody can be in any doubt about the general scheme of the Bill, and I think the criticism of the right hon. Gentleman is rather strong. The words "entitled to a sum" of money is a form which occurs in several Acts of Parliament, including the Lands Clauses Act. I would suggest the words—"person claiming to be entitled."

Amendment, by leave, withdrawn.

Amendment proposed, in page 1, line 5, after "purchase," to insert the words "person claiming to be entitled."

Question, "That those words be there inserted," put, and agreed to.

MR. ARTHUR WILLIAMS: I beg to move that after the word "sum," the words "not exceeding £20" be there inserted. This section will give unlimited jurisdiction to the County Courts. It is perfectly true that questions of title as to tithe are of comparatively rare occurrence, but they notoriously do involve abstruse questions of law; yet by this Bill we call upon the County Court Judge at once to give a decision. The lay impropriator may at once get a decision in the County Court, after which his claim cannot be ousted throughout by the Amendment. The jurisdiction of the County Court is limited to £20 a year, and that would apply to the Section as it now stands. There will be very few cases of tenant farmers in which the amount is for more than £20, and if this remedy is to be granted, I think it ought to be limited to £20. I beg to move the Amendment.

Amendment proposed, in page 1, line 5, after the word "sum," to insert the words "not exceeding twenty pounds."—(*Mr. Arthur Williams*)

Question proposed, "That those words be there inserted."

SIR W. HARCOURT: This clause gives universal jurisdiction to the County Courts in all questions of tithe, and not merely as to the amount to be recovered. It is really making a Bill, with small objects, give universal and unlimited jurisdiction to the County Courts on all questions of real property so far as they are connected with tithe. It is a most extraordinary thing to be introduced into a Bill of this kind. Then I observe that the Home Secretary proposes to introduce an Amendment making the County Court judgment final and conclusive. In the ordinary way, there is an appeal to the Superior Courts; but here the County Courts will decide in respect of property worth hundreds of thousands of pounds. The Home Secretary has actually got on the Paper an Amendment to prevent the ordinary forms of appeal from the County Court to the Superior Courts, and all this in the name of the poor clergy in Wales. Was there ever such a preposterous Bill drawn with such carelessness, such recklessness, such obvious want of consideration of the consequences involved as this? Surely there ought to be some limitation of the jurisdiction of the Court.

*MR. MATTHEWS: The right hon. Gentleman's criticisms are not always couched in conciliatory language, and the draftsman will appreciate his compliments. I can assure the right hon. Gentleman that part of the intention of the Amendment I have on the Paper, and which has called forth his sarcasm, is simply putting into proper language an Amendment which the hon. Member for West Monmouthshire has put upon the Paper. It aims more certainly, in my opinion, at preventing the removal of any payment for tithe to a Superior Court for the purpose of getting execution upon it in places in which the jurisdiction of the County Court does not extend or run. In my judgment the clause is already effective for the purpose, though I did offer to put an Amendment on the Paper preventing a removal of judgment to the High Court. It is not necessary to remove it under Section 21 of the County Courts Act, 1888, and the appeal remains. The right hon. Gentleman says we intend to give the County Court jurisdiction in cases of title. Undoubtedly we do. The whole remedy would be useless otherwise. There may be cases in which title to real property is involved, but they are so rare that so far as my knowledge goes there is not a single one. Most of the titles to tithes are perfectly clear, and in many instances there is no title to prove. The Ecclesiastical Commissioners, Colleges, Schools, lay impropriators and other large bodies have no title to prove. They have perpetual

succession, and the fact of their being corporate bodies or continuous bodies is proof of their title. I do not think there is a single case in the books—I am speaking seriously—in which any point of title has arisen as to the tithe. The right hon. Gentleman raises the question of amount, and I do not deny that there may be some cases where the tithe rent-charge is £500, but I doubt very much whether it is paid in the lump sum, because it must be remembered that the tithe is paid field by field or close by close, which is the apportionment in most parishes, so that you may know exactly what arises on each close. The Bill, certainly not from any oversight or carelessness, is intended to apply in all cases. I agree that in some instances where the amount is very large the County Court is not the most appropriate tribunal, but it will certainly be appropriate in 999 cases out of a thousand.

SIR W. HARCOURT: The right hon. Gentleman says cases may arise. That is true of all other property as to which there is a limited jurisdiction in the County Court. I do not follow the Home Secretary in what he says with reference to separate closes. Does he mean that an action may be brought with reference to each close? I do not believe any such process ever has been or would be undertaken. The action is brought for the whole of the tithe. The right hon. Gentleman says that the cases to which I refer would be rare. I venture to say that 100 such cases arise every year. Tithe passes by will like any other property, and if the will is disputed it includes the tithe like any other property. You will not see in the books the question of tithe referred to particularly, but questions of tithe do arise where there is disputed succession to property, whether by will or devolution or any other proceeding. There are cases in the Court every month in the year. Tithe is not different in that respect from any other property, and it is subject to all the difficulties attending the devolution of property. The right hon. Gentleman will excuse me if my feelings are occasionally too strong for me, but I cannot help describing his Bill as one of the most crude performances I ever saw in my life. Tithe property is not exceptional, and why should not the jurisdiction of the County Court with regard to it be limited, just as it is in respect of other property?

*MR. SEALE-HAYNE (Ashburton, Devon): I would like to ask whether, under the extraordinary Tithe Act, 1886, the power of the Judge to adjudicate was limited to £50; and, if so, why it was proposed by this Bill to increase that limit?

MR. ARTHUR WILLIAMS: I have had placed in my hands a little book on the law of tithe, and, as I expected, I find a number of cases. I venture to say that there is not a law so complicated and difficult as the law of hereditaments, yet there is no provision in the Bill for appeal. I submit with the greatest confidence that by this Bill questions of title, however difficult, large and far-reaching they may be, may be settled by the County Court Judge finally and without appeal.

MR. G. OSBORNE MORGAN: This is a new departure. In every case hitherto, so far as I am aware, the Legislature has safeguarded parties to an inquiry by providing that cases could not be dealt with in the County Court above a certain amount. Tithes are derived just as land is, and cases will arise which will require all the great legal experience and acumen of a Judge of the High Court. Although it is perfectly true that appeal is not expressly excluded, yet it will be impossible for either side to avail itself of the right given by a former Statute.

*SIR R. WEBSTER: I have no doubt that the right of appeal will exist. The right hon. Gentleman has stated that, in numerous instances, difficult questions have arisen. I think, however, that the right hon. Gentleman's memory is treacherous. In cases of administration or where a clergyman has got into difficulties some questions may arise, but in ordinary cases the questions of law which could arise are singularly few, as the award is conclusive and binding. With regard to the Amendment, surely the right hon. Gentleman must know that cases in which questions are likely to arise are not those in which £500 was due. In such a case a farmer would understand his position, and know that he ought to pay. Questions will arise in cases where £50 or a smaller amount is due, as in such cases there is a tendency to refuse payment. The difficulty as to the limit of jurisdiction

has been sprung upon the Committee now for the first time. There is, I believe, no other Amendment on the Paper with regard to it. At present I see no reason for limiting the jurisdiction, but I will, if necessary, provide at a future stage of the Bill that there shall be an appeal in cases above a certain amount.

MR. H. H. FOWLER (Wolverhampton, E.) : I do not think the Attorney General can have looked at the Paper, or he has overlooked an Amendment limiting the amount to £5. On the Grand Committee last year I fought very hard for extending the jurisdiction of the County Courts, but the Attorney General very successfully met me, and conquered me. And now we have the Home Secretary making a powerful appeal in favour of unlimited jurisdiction for County Courts in this one case. Under the guidance and advice of the Attorney General last year the Consolidation Act was passed, defining and limiting the jurisdiction of the County Court to £50. We fought hard to extend it to £100. The Attorney General was sternly obdurate, and pointed out that very great injury would be done to the profession if important cases were tried in the County Court instead of the Superior Courts. I do not agree with my hon. Friend behind me. I think the £20 limit is too small, but, in face of the legislation of last year, and the strong reasons which the Attorney General gave against the unlimited jurisdiction of the County Court, I am not prepared to give that unlimited jurisdiction with respect to a specific description of property, and for a specific purpose. The Attorney General says that if the difficulty arises, it might be met afterwards by a provision in the Bill. But we have to deal with the Bill as it is and as it stands ; it gives no right of appeal in case of disputed title. A friendly action may be raised ; the tithe payer may be sued ; and the question of title may be settled by the County Court Judge without any appeal whatever. If the Government are prepared to say that the time has arrived for such a great reform in our law as to the jurisdiction of the County Courts, and are willing to apply it to all cases and all claims, unlimited in amount, then, Sir, I am not prepared to say that I would not accept this extension. But I do object to this specific extension for a specific purpose. By a side wind you seek to alter the law with respect to real property, and to give unlimited jurisdiction to a class of Court which has hitherto been held incompetent to exercise that jurisdiction, and which the Consolidation Act of last year has practically confined to cases of title of a very limited amount per annum. If my hon. Friend would alter his Amendment to £50, I think the Committee would be disposed to regard it favourably.

MR. STAVELEY HILL : I agree with what has fallen from the right hon. Gentleman the Member for Wolverhampton, but I would only remind him that £20 per annum would be practically giving the County Court a 25 years' purchase—jurisdiction as to 25 times £20.

SIR W. HARCOURT : The hon. and learned Gentleman complained of my criticisms of the drafting of the Bill, but see what happens. This Bill, as drawn, gives the County Court universal jurisdiction without appeal. Practically speaking, if the Attorney General did not know that statement was true, he would never have tendered that defence. As the Bill stands there is no appeal given ; and fortified by my right hon. Friend and other hon. Friends, I make that statement against the Attorney General. He has stated that if the Bill did not give the right of appeal, provision could be made for appeal.

*SIR R. WEBSTER : The right hon. Gentleman has no right to say so. I stated distinctly that the words as they stand would give the right of appeal. I only ask that ordinary courtesy should be extended to me. It is scarcely fair to repeat twice across the floor of the House that I knew what I said to be incorrect.

SIR W. HARCOURT : The right hon. Gentleman is unduly susceptible. I only said that his law was bad. I will say that he is willing to admit an appeal, and I hope that will satisfy him. As to the question of amount, if this is not a question of carelessness, but of deliberate drafting with a special object, I should like to know what it is. If the ordinary course had been followed with regard to County Courts this would have been limited to £50. Under the Extraordinary Tithes Act the jurisdiction was limited ; but here the Government,

for what earthly reason I cannot conceive, have put in words which have never appeared in any Bill before, affecting the County Court jurisdiction—"whatever the amount of the sum may be." If you strike these words out the jurisdiction of the County Court will be limited. Why are they put in?

MR. MATTHEWS: They are put in for the purpose——

SIR W. HARCOURT: Of making the County Court jurisdiction universal and unlimited?

MR. MATTHEWS: Yes.

SIR W. HARCOURT: Why? If these cases are so rare why not limit it to £50? We have taken the view that this Bill is to enable the proprietors of tithes to vastly increase their revenues. If the draftsman had the object in view of preventing appeal, then the Bill is properly drawn; but if he had not, then it is as blundering a performance as I ever saw. If the Government do not intend to revolutionise the jurisdiction of the County Court why should they object to the ordinary limit of jurisdiction? Why do you not deal with this ordinary tithe as you dealt with extraordinary tithe? Why have you departed from that course in order to give unlimited jurisdiction to the County Court?

MR. RANDELL: In many cases the jurisdiction of the County Courts is limited to amounts not exceeding £50, and as tithe rent-charge is now to be made a debt, actions for its recovery at common law ought surely to be subject to the same limitation. I very much regret that in a Bill of this kind, to which so many objections have been taken, the Government are attempting to largely extend the jurisdiction of the County Court on the Common Law side. I strongly object to this attempt.

*MR. GAINSFORD BRUCE (Finsbury, Holborn): It is not correct to say that the jurisdiction of the County Court is limited to £50. It is true it is so limited in one class of cases, but in many other classes it is largely extended, and it has been the policy of the Legislature in different cases to give the County Court a varying limit of jurisdiction. For instance, in Admiralty cases, salvage claims in which the value of the property saved does not exceed £1,000 can be dealt with. Under the Employers' Liability Act there is another limit, and in equity cases still another limit. The hon. Gentleman who has just sat down suggested that in all cases there was some limit. That, even, is not correct, because in bankruptcy there is an unlimited jurisdiction. Although there may be good reasons for not extending the jurisdiction of the County Courts in ordinary actions beyond £50, I do not see why the jurisdiction conferred upon the County Courts under this Bill should not be as unlimited as in bankruptcy. I will not stop to answer the remarks of the right hon. Gentleman the Member for Derby in reference to the question whether an express provision is necessary to confer a right of appeal. I prefer, myself, the opinion of the Attorney General to that of the right hon. Member.

*MR. BRADLAUGH (Northampton): Considering the position which was taken up by the learned Attorney General in Committee on the County Courts Consolidation Act last year, on the proposal made by myself to extend the jurisdiction—a proposal which was resisted by the Government—I am extremely surprised at the contention put forward by the hon. and learned Gentleman who has just addressed this House. I think the Attorney General should give us some reasons for having altered his attitude since last year on this question.

MR. ARTHUR WILLIAMS: Although I should have been glad to have followed the advice of the right hon. Gentleman the Member for Wolverhampton, I am bound, I think, in this case, to press my Amendment, as I am satisfied it would be most mischievous to give the County Courts unlimited jurisdiction under this Bill. The mischief would be found both in intention and in results.

The Committee divided:—Ayes 135; Noes 162.—(Div. List, No. 302.)

MR. ARTHUR WILLIAMS: I beg now to move the insertion of the words "not exceeding £50," after the word "sum." I do hope that the Government will accept this Amendment, and thus place the tithe on the basis of an ordinary personal debt. We cannot forget that they have broken the contract originally made; they have withdrawn tithe from the remedy of distress,

they have made it a personal debt, and therefore its recovery should be subject to the same provision at Common Law as personal debts. I do press upon every fair-minded Member of this House that if we are to pass this Bill, and alter the position of tithe, we should insert this limitation.

Amendment proposed, in page 1, line 5, after the word "sum," to insert the words "not exceeding fifty pounds."—(*Mr. Arthur Williams.*)

Question proposed, "That those words be there inserted."

*SIR R. WEBSTER: I trust it will not be necessary to discuss the question of limit, or no limit, over and over again; but I will say one or two words in order to explain what I conceive to be the reason why we should not concede this Amendment. I will undertake to insert the words suggested by the right hon. Gentleman the Member for Wolverhampton, giving the same appeal as in an ordinary case before a County Court, so that if there is any dispute about tithe, there will be no doubt about its being investigated by the proper tribunal. But what is it my hon. and learned Friend suggests? The object of this Bill, we must remember, is simply to give another method of enforcing an admitted debt, without those circumstances which we believe, rightly or wrongly, conduce to trouble and disturbance. We think that the procedure in the County Court will get rid of that difficulty. Does my hon. Friend suggest that tithes above £50 should only be recoverable in a Superior Court, because if that is his view, a man will only have to sue for the tithe in respect of a portion of his farm, so as to bring the amount under £50, and then when he has recovered that, he can issue another summons for the remainder.

MR. ARTHUR WILLIAMS: Not against the same occupier.

*SIR R. WEBSTER: Certainly. There is not the least objection now to the splitting up different causes of action in order to bring the claim under £50. We are dealing with the question whether or not there shall be a remedy in cases in which the tithe as a matter of fact exceeds £50, and if this Amendment is adopted we should be compelled to add further clauses to this Bill, and to create a new machinery. I really think that the difficulty is met by the granting of an appeal, and that having regard to the great majority of cases, it is unnecessary to insert any limit. The Government must therefore stand by the Bill as at present framed.

SIR W. HARCOURT: If the Government object to fixing a money limit, why have they not followed the course which was taken in 1886 with reference to extraordinary tithe. I propose later on to move the omission of the words, "whatever the amount of the sum may be." Now, in the Extraordinary Tithes Act it is provided that the tithe may be recovered by action in Her Majesty's High Court of Justice or in the County Court, and having given the County Court jurisdiction the action would follow the ordinary rules of the County Court except for those words. I wish to know why the Government should go out of their way to deal with the ordinary tithe in a different way to that which they deal with the extraordinary tithe.

*MR. BRADLAUGH: I was a little startled when I heard the learned Attorney General state that it is possible for a creditor, having a claim against me, to divide that claim into two portions in order to bring the action in the County Court. If I were not a layman, without much knowledge of the law, I would take leave to contradict the Attorney General very strongly on that point. I would remind him of the arguments he used against myself and others who wanted an extended jurisdiction under the County Courts Consolidation Bill last year, and I would ask him why he has since changed his opinion.

*MR. WINTERBOTHAM (Gloucester, Cirencester): The statement of the Attorney General suggests that if tithe is payable on a farm, the tithe-owner can, if he chooses, sue for it field by field, and in this way enormously increase the burden of costs on the tithe payer. Are there no words in the Bill which will prevent vexatious proceedings of that kind, and if not will the Government insert some?

MR. W. J. BEADEL (Essex, Chelmsford): I think if the limit of £50 were agreed to it would not be applicable to a great number of cases. The Attorney General's argument carries great weight with it, and it is undesirable to fix any

limit, seeing that since the settlement of 1836 there have been a considerable number of re-apportionments.

SIR W. HARCOURT: The more this Bill is debated the greater is the amount of light we get thrown upon it. It is not merely a Bill for the recovery of small sums, and the pretence that the measure is intended to enable poor clergymen, through the medium of the County Court, to recover these small sums has now disappeared. As the hon. Member who last spoke knows perfectly well, the Bill gives exceptional means for the recovery of large sums as well as of small. The hon. Member for Chelmsford has knocked on the head the favourite theory of the Attorney General that the Bill will only affect the tithes on small farms. I agree with the hon. Member for Cirencester, after what the Attorney General has said, that the enforcement of the tithe may be made most vexatious, and if the view of the hon. and learned Gentleman is correct —as to which there is some doubt—the Bill will certainly require amendment. That makes it all the more necessary why we should confine it to this limit. If you want the County Court Jurisdiction, take it as it is; strike out the words, "Whatever the amount of the sum may be."

MR. COSSHAM: I certainly heard the statement of the Attorney General with great surprise. If I have to sue a person who owes me £800 for coals, I cannot sue him four times for £200. The Attorney General is wrong in his law and in his facts.

MR. M. HEALY (Cork): The hon. Member for Northampton, as a layman, expressed his surprise at the legal doctrine laid down by the Attorney General. I am not exactly a layman, though I am not supposed to be learned in the law, still, I join in the hon. Gentleman's expression of surprise. I have practised for several years in Irish County Courts—of course I do not pretend to understand English law—and if I attempted to argue there what the Attorney General has laid down as indisputable law, I should be laughed at. It has been laid down over and over again that you cannot split the cause of action for the purpose of giving the County Court jurisdiction.

*SIR R. WEBSTER: The Committee are discussing this point mainly on account of an inaccurate expression of mine. I do not like to be misunderstood. I never suggested you could split a cause of action. My point was that tithe is a separate cause of action in respect of each piece of land. I have not looked up the matter, but my impression is that it is a separate cause of action.

MR. BRADLAUGH: That was not quite what you said.

*SIR R. WEBSTER: I certainly meant to convey that there was a different cause of action in each case, and I apologise to the Committee if by an inaccurate expression I have misled them.

MR. BRADLAUGH: What I understood the hon. and learned Gentleman to say was, supposing the tithe on a piece of land is more than £50 the land can be divided into two portions.

MR. H. GARDNER: I cannot congratulate the Government upon the only support they have got from their own Benches. The hon. Member below the Gangway (Mr. Beadel) flatly contradicted the statement of the Attorney General. In certain cases there are what are called field apportionments, but there are instances in which the whole farm pays a large sum. The Attorney General says you are able to bring an action for the various portions of the tithe. The tithe owner is thus able to inflict on the tithe payer a very heavy penalty in the shape of costs. Supposing a man owes £300 in tithe split up in three lots or apportionments of £100 each. If the tithe payer can be sued in respect of each separate piece of tithe, he may possibly have to pay £40 or £50 in costs.

*SIR R. WEBSTER: The Amendment would cause that. If the Amendment is carried there will be a temptation to split; if the Amendment is not carried there will be no temptation to split.

MR. H. GARDNER: I really think the Bill, as explained by the Attorney General, gets worse and worse as we proceed. It is quite bad enough that the tithe payer should be put to this penalty at all, which he is not subjected to under the existing law. And, according to the Attorney General, the penalty may be cumulative, amounting to a sum that we can hardly imagine.

*MR. STUART RENDEL: The revelation made by the hon. and learned Gentleman has almost taken away the

breath of the Welsh Members. If the case is hard, as seen from the point of view of the hon. Member for Saffron Walden, how much more serious is it from the point of view of the Welsh Members? It is acknowledged that this is a measure aimed at Wales; it is a Penal Code applying to Wales; it is a measure of petty coercion. Now it appears it is in the nature of a cat-o'-nine tails. Under this legislation tithe receivers are distinctly invited to use the County Court expenses as a means of compelling tithe-payers to be prompt in their payments. If the tithe-owners carry out the full spirit of this legislation, they will undoubtedly take the opportunity now and again of dividing their claims for the express purpose of making them more penal and more severe. With the state of feeling which exists, and which is being fomented in Wales on this question, it is by no means beyond the point of possibility that there will be cases in which this mischievous use will be made of the clause.

MR. G. OSBORNE MORGAN: Does the Attorney General mean to say that if a farmer has 50 closes, 50 actions can be brought against him? If that is so the law ought to be altered at once. We ought to suspend the proceedings on this Bill and bring in a short Bill changing such an iniquitous system. We are only asking the Committee to do that which the House did three years ago in the case of extraordinary tithe, and what was done last year by the Committee over which I had the honour to preside.

MR. JEFFREYS (Hants, Basingstoke): There is a tithe map by which field apportionment is indicated, and I believe that under this Bill a tithe-owner could sue for a particular sum on each field. It is no answer to say that in some parishes there is no apportionment. If the Bill passes as it stands there will be an apportionment made in every parish. I think that as under this Bill the power is to be given to the County Court it ought to be given altogether.

SIR W. HARCOURT: The hon. Gentleman holds out to us the prospect that if the Bill passes in its present shape there will be apportionments made in parishes where it has not hitherto prevailed. I am not going to dispute the law laid down by the Attorney General that there may be a separate action brought in respect of every close, but let us consider what the effect may be. If a man has not paid his tithe, and the clergyman, or tithe-owner, thinks he is a cantankerous Nonconformist and that it would be a very good thing he should receive a lesson, and that it might be useful in the neighbourhood and might serve the cause of religion, the Attorney General has taught him what to do. He may be a small parson but a man of a large mind, and his tithe may be £100 a year, but it may be collected from 20 closes. Under the advice of the Attorney General, and under the cover of a "very small" Bill passed this Session, he can bring 20 actions and run up a bill of costs, say, of £100, in order to punish the cantankerous Nonconformist for his conduct. The tenant farmers will be absolutely at the mercy of the tithe-owner, who may wreak his vindictiveness and spite upon them if he chooses. I have known such a spirit as that exhibited with respect to burial; vindictiveness is often carried to the grave. If the Attorney General is right the first thing to do is to introduce a clause to prevent the tithe-owner bringing as many actions as he chooses.

MR. T. ELLIS: I think the discussion on this Amendment has proved quite clearly our contention last night that it is useless to deal with this complicated question in this one-sided way. In the first place, you have to distort the whole question of County Court jurisdiction and run counter to the very principles you upheld in Committee upstairs last year. A man may be County Courted in respect of one close and distrained against in respect of another.

MR. ATHERLEY-JONES (Durham, N.W.): The Attorney General has advanced the very best argument which could possibly be advanced in favour of this Amendment, because he has pointed out that in the event of the Amendment being carried an opportunity would be afforded in a case where tithe is apportioned to different closes of bringing an action in respect of each close. Again, let me ask what is the reason for imposing upon the County Court jurisdiction, which at present is very heavily burdened, other responsibility. The Attorney General felt the force of that objection, because he pointed out that an appeal would lie.

But that suggestion is not a very satisfactory one, because the same observation might be made in the case of every proposition for extending the jurisdiction of the County Court.

COMMANDER BETHELL (York, E.R., Holderness): If it will be possible for the titheowner to sue the tithepayer in respect of different apportionments, I am bound to say I cannot support Her Majesty's Government. Whatever else may be said about it, the clause as it stands is open to abuse, though I cannot say that the thing is much improved by the Amendment of the hon. Gentleman opposite. I shall vote for any Amendment that may obviate the particular objections advanced by the other side, and which have not been met by the Attorney General.

MR. ARTHUR WILLIAMS: I think the Government is bound to give us some further explanation on this subject. We have it from the Attorney General that if the Bill passes as it stands it is possible for the tithe-owner to sue in respect of every apportionment or close. Before we go to a Division I should like to know whether the Government will introduce a proviso which will render it impossible for any tithe-owner to bring an action in respect of each parcel of land.

*SIR R. WEBSTER: The hon. and learned Member is anxious for some words to be inserted in order to prevent a wicked clergyman from bringing 50 actions where one would do. I will not form an opinion as to what the clergy are likely to do on the representations of the hon. Gentleman; but if any section of the Committee think it necessary to insert a proviso that only one action shall be brought in respect of several closes, I shall not have the slightest hesitation in accepting it.

SIR W. HARCOURT: I think the statement of the Attorney General is perfectly satisfactory; but this only shows how useful these discussions are. We had these separate actions held out to us as a threat for an hour and a half, and it was not until representations came from behind the right hon. Gentleman as to the injurious consequences of this that an offer of concession is made. It is quite plain that the danger was infinitely great, and the candour of the Attorney General has revealed the magnitude of it to-night. We may accept what he has said, and I hope he will put into the Bill the security for which we contend.

MR. PHILIPPS (Lanark, Mid): The Attorney General has said the accusation against the clergy of Wales came from this side; but he is mistaken, and, indeed, it was himself who suggested that the clergy might use this method of retaliation.

The Committee divided:—Ayes 130 Noes 143.—(Div. List, No. 303.)

MR. THOMAS ELLIS (Merionethshire): According to the present wording of this remarkable Bill, a new assumption is declared as to what the tithe rent-charge is. As I understand a tithe rent-charge, and as the definition is laid down in the Act of 1836, it is different in two or three important particulars from an ordinary rent-charge. But in the present Bill it seems to me that tithe rent charge is put in the same category as if it were identical with an ordinary rent-charge. But there are grave differences and distinctions which are recognised in the Act of 1836, and should be incorporated in this Bill. A rent-charge, I assume, is a charge on the inheritance by the owner; in the second place, it is a fixed unvariable sum; and, thirdly, it is recoverable in default of payment if necessary by the sale of the land. A tithe rent-charge, on the other hand, is chargeable not on the land, but on the produce of the land; it is not a fixed charge; it varies from year to year; and thirdly, it is recoverable by distress or occupation of the land, and never by sale. But the wording of this Bill puts a new construction upon a tithe rent-charge, either through bad intention or bad draftmanship. In a case tried before the late Vice Chancellar Bacon, in 1885, and reported in the Law Reports, 30 Chancery Division, it has been laid down clearly that the owner of a tithe rent-charge is not entitled to a sale of the land for the purpose of recovering his rent charge. The object of my Amendment is to make it plain in this new measure that that is the law, and to bring the Bill into conformity with the Act of 1836.

Amendment proposed, in page 1, line 5, to leave out "on account of," and insert "in the nature of a."—(*Mr. Thomas Ellis.*)

Question proposed, "That the words 'on account of,' stand part of the Question."

MR. MATTHEWS: I am really unable to follow the hon. Gentleman's argument. The Bill speaks of a remedy in the County Court in order to recover tithe rent-charge. You are not bound to sue for the whole but can sue for part on account, or for the unpaid portion; and I really cannot see what is gained by this Amendment. If it has any effect at all, it seems to me to extend the remedy proposed in the Bill to something that is not actually tithe rent-charge, but is in the nature of a rent-charge. I do not think we gain anything by that, and I confess I do not appreciate the hon. Gentleman's object.

SIR W. HARCOURT: I think the object of my hon. Friend is clear enough. The difficulty of the Home Secretary is that among his multifarious duties he is under the disadvantage of not having been able to understand the question of tithe or tithe rent-charge at all, and the consequence is that his Bill is drawn as I have said before, and may repeat it a thousand times, in absolute ignorance of the whole subject. The objection of my hon. Friend is this, that the Bill calls that a rent-charge which is not a rent-charge. It is not a rent-charge at all, nor was it so treated in the Act of 1836. The draftsman talks of "a tithe rent-charge charged upon the land." But there is no such thing existing in law, and to describe tithe rent-charge in that way is a mere ignorant blunder. That is not the language of the Act of 1836. It would almost be well to move to report Progress, in order to give the Home Secretary an opportunity of studying the matter for half an hour. He evidently has not the elementary conception of what is the nature of a tithe rent-charge. Tithe is not a rent-charge—that is the first proposition—nor in the ordinary sense is it a rent-charge upon the land, so the draftsman of the Bill has simply made a blunder. The Secretary to the Admiralty is amused; but I think that, probably, he knows more about navigation than of tithe rent-charge, and I will try to explain it to him. The authors of the Act of 1836 did know the nature of a tithe rent-charge, they were very careful not to call it a rent-charge charged upon the land; and the language they employed materially affects the whole question. They said it is in the nature of a rent-charge, but it is not a rent charge properly so called, it is not charged on the land, but it "issues out of the land charged therewith." These are very careful words; but the words in this Bill are the vulgar slip-slop of a man with vague and cloudy ideas of what tithe is and what rent-charge is; and all that my hon. Friend desires to do is to introduce the language used by the lawyers of 1836. It is not immaterial, because in the case quoted by my hon. Friend, the consequence of it being so described was that it was declared that a tithe rent-charge owner was not entitled to recover by sale of the land. But your new and clumsy phraseology would change the character of the law altogether. This vague slip-slop would effect a revolution in the character of this property, and you would make the land from which the tithe rent-charge issues liable to sale for the recovery of the tithe rent-charge. What difficulty is there about accepting the language of the Act of 1836? Why not accept the Amendment taken textually from the Act of 1836? Surely it would be better to do so now than occupy two hours, and then ultimately accept it as you have done in regard to other Amendments.

MR. MATTHEWS: When the right hon. Gentleman uses such expressions as "vulgar slip-slop," "ignorant blunders," and so on, one is tempted to apply the epithets to his own argument. He has had the courage to tell the Committee that the words in the Bill are not used in the Act of 1836, but when I turn to section 55 of that Act I find the expression "Tithe rent-charge charged on the several lands," &c., and again I find a like expression employed in the 58th Section. The draftsman of this Bill, then, has not blundered through ignorance; he has used the very language of the Act of 1836, and has displayed, I think, more knowledge of the Act than the right hon. Gentleman himself. I must say the Amendment appears to me to be perfectly idle and meaningless. I do not know to what it may be pointed, for the hon. Member's speech did not enlighten us. There can be no possibility of mistake as to the meaning and intention of the Bill,

because Section 4 has a direct reference to the Act of 1836.

*MR. LLOYD MORGAN: I think the right hon. Gentleman will find that Section 71 of the Act of 1836 describes tithe in precisely the same language as that employed by my hon. Friend. If my hon. Friend's Amendment is rejected, then it comes to this, that by this section it goes forth that tithe rent-charge is a charge upon the land, and not upon the produce of the land. Now, it has already been pointed out, if the charge were upon the land the tithe owner would have a right to sell the land in respect to which his tithe was not paid. But as my hon. Friend has shown by reference to the decision of Vice Chancellor Bacon, in a case in which this very point was raised a few years ago, there is no such power of sale, because the charge is a charge on the produce of the land, and not on the land. I understood from that decision that it was perfectly clear what was the nature of the charge issuing out of the land. I imagined that the Government did not desire to make any alteration in the law further than to introduce a change in the manner of collecting tithe. It seems to me, however, that the Government are now attempting to make tithe a charge upon the land, and not, as it has hitherto been held to be by the Courts, a charge upon the produce of the land.

*SIR R. WEBSTER: I think it is scarcely fair for the right hon. Gentleman the Member for Derby to speak of the draftsman of this Bill in the way he has done. The draftsman is a gentleman of great experience, and the right hon. Gentleman has himself taken advantage of his experience as often as anybody. There is not the slightest ground for the suggestion that these words will alter the law in any way, as the interpretation clause defines the tithe rent-charge as tithe rent-charge payable in pursuance of the Act of William IV., and in the Act of William IV. there are a series of charging sections which treat the rent-charge as being charged on the land. There is no question as to its being a charge on the land in a technical sense, and no one can contend that we alter the law. There is a whole series of sections in the Act of 1836 in which the words "charged upon the land" are used. In my judgment this is a simple and concise repetition of the Act of 1836. If it altered the law in any way, I would accept the Amendment, but I appeal to the House to let the words stand.

SIR W. HARCOURT: The Attorney General admits that this is not a rent charge in the ordinary sense of the word. I admit that there are sections in the Act of 1836 in which it is spoken of as "rent charge charged on the land," but there is a larger description of it than that, and I should be content if the tithe rent charge were spoken of as "tithe rent-charge under the Act of 1836." If the words "charged on the land" remain there will be a danger of making the land liable to sale as in the case of an ordinary rent-charge. Why will you not accept my proposal?

*SIR R. WEBSTER: We desire to meet the right hon. Gentleman as far as we can. We do not care at all for the word "charged," our impression being that this is a false point, and we are willing to accept the words "issuing out of the land."

SIR W. HARCOURT: I think it would be simpler to say "tithe rent-charge as hereinafter defined."

MR. MATTHEWS: I would point out that that will not do because the land must be specified. At present the distress can only be for the tithe on the land in which the rent-charge is charged, and in like manner the execution has to be confined to the particular close or farm on which the rent-charge is charged or out of which it issues.

SIR W. HARCOURT: I have no objection to the words proposed to be substituted, but I would point out that in the definition clause the expression "tithe-rent charge" means tithe rent-charge payable in pursuance of the Act of 1836.

MR. ARTHUR WILLIAMS: Why not specifically introduce the words of the Act of 1836? That would get rid of all the difficulty. It is obvious from this discussion that there is considerable ambiguity in the words originally proposed, and the Committee will agree that we cannot be too careful in drafting this new procedure.

MR. T. ELLIS: The Attorney General has said that tithe is a tithe rent-charge.

*SIR R. WEBSTER: So it is.

MR. T. ELLIS: It is not. The Home Secretary has taunted us on this side with gross ignorance on this subject. I would ask him if he still holds that tithe is a rent-charge?

MR. MATTHEWS: What I said was that tithe rent-charge is a rent-charge.

MR. T. ELLIS: That comes to the same thing. Tithe rent-charge is not a rent-charge.

SIR W. HARCOURT: My hon. Friend's Amendment is practically accepted by the Government. They take the first words of his Amendment, and the other part of it is in the definition clause. They are willing to omit the words he objects to—namely, "charged on any lands."

MR. T. ELLIS: After it has been shown conclusively that tithe rent charge is not a rent-charge, I am willing to withdraw the Amendment, in order to accept the words the Government propose.

Amendment, by leave, withdrawn.

Question, "That the words 'charged on' stand part of the Clause," put, and negatived.

Question, "That the words 'issuing out of' be there inserted," put, and agreed to.

THE CHAIRMAN: The next Amendment is in the name of the hon. Member for the Maldon Division of Essex (Mr. C. Gray), and is follows:—Clause 1, page 1, line 6, leave out "and," and insert—

"Shall not after the commencement of this Act distrain for the same in manner provided by the Act of the Session of the sixth and seventh years of the reign of King William the Fourth, chapter 71, intituled 'An Act for the Commutation of Tithes in England and Wales,' but in the case of any tithe rent-charge."

This is clearly out of order, in view of the decision arrived at by the House last night.

SIR W. HARCOURT: Are we to take it that by rejecting all the Instructions last night the Government have defeated the Amendments they themselves propose—that, for instance, of the Home Secretary in line 11, after "debt," to insert, "Provided that he shall not be entitled to distrain for any sum after he has sued for it under this section"?

THE CHAIRMAN: The matter is one of some intricacy, and when I first considered it I felt very much in the position of the right hon. Gentleman. The hon. Member for Maldon wishes to do away with the power of distraint in all cases, substituting for it the process of recovery provided in the Bill; but the Home Secretary leaves the alternative methods of procedure open to the tithe owner, merely providing that, after the procedure in the Bill has been availed of, the old process of distraint shall not be adopted.

SIR W. HARCOURT: In the Bill there are words which preserve the rights at present in operation, whilst they give County Court jurisdiction without prejudice to any other remedy. Is it not possible for us to strike out the words which preserve the existing rights?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): We propose to do so.

SIR W. HARCOURT: The Amendments of the Home Secretary come to the same thing as that of the hon. Member for the Maldon Division.

THE CHAIRMAN: The Amendment of the hon. Member for the Maldon Division would deprive the tithe owner of the power of distraint—of the exercise of his volition in the matter. The scheme of the Government on the other hand leaves the tithe owner the power of distraint, unless he has resort to the course provided in the Bill, in which case he must abandon the alternative of distraint.

SIR W. HARCOURT: Why is not such an Amendment as that of the hon. Member for the Maldon Division in order without an Instruction to the Committee? The Bill is one "To Amend the Law Relating to the Recovery of Tithe Rent-Charge," and why in connection with such a Bill is it not possible to introduce a clause abolishing the process of distraint? What reason can there be against it? Under the Bill the tithe owner gets a new remedy and can keep his old one. What is there to prevent anyone moving an Amendment to confine him to the new remedy?

THE CHAIRMAN: The tithe owner may take the new remedy, in which case he will abandon the old; he may elect. With respect to the question whether an Amendment of this kind can be moved without an Instruction, it

is sufficient to say that to allow such an Amendment would be inconsisist with the decision arrived at on the Instruction of the hon. Member for the Maldon Division of Essex. It is within the power of the Committee to amend the process for the recovery of tithe rent-charge, but not to take away against the will of the tithe owner the remedy which he now has, without an Instruction from the House to that effect.

SIR W. HARCOURT: There was no Instruction touching the question of distress moved last night, though there were Instructions as to the election of remedies. I submit that if the proposal of the Government is that the owner shall elect one of two processes, it is competent without Instruction for the Committee to reject one of them.

THE CHAIRMAN: The hon. Member moved an Instruction to the Committee yesterday to provide that the tithe rent-charge should be recoverable from the landlord only. That was rejected, the House holding that the tenant, from whose property on the land the tithe is recoverable by restraint, should remain liable. It seems to me, therefore, that the Amendment now proposed is not permissible unless authorised by the House.

*MR. C. GRAY: It will, perhaps, save the time of the Committee if I say that, even if my Amendment had not been ruled out of order, I should not have moved it, as I consider there is more to be gained by another Amendment dealing with the period of time—extending the one month to three months—which Amendment would be impossible if the power of distraint were done away with.

MR. BLANE (Armagh, S.): I beg to move, in lines 6 and 7, to leave out "one month," and insert "three years." The history of the tithe in Ireland was well known, and the Irish Members are past masters in the art of abolishing the iniquity. If I may give a "griffin" to my Welsh friends, it would be "accumulate arrears." If the Irish landlord has to wait years for his rent, I see no reason why the English parson should not wait as long. It seems to me that the contention of Her Majesty's Government, that this tithe is a sort of national institution, will not hold water. In Wales we find a small minority exacting this tax from the majority, hence I think it reasonable that we should allow the tithes to run into arrears to as great an extent as possible. If you do not do that you will never have a remedy for the monstrous exactions on the people who do not believe in the Established Church. Accumulate arrears, otherwise Parliament will not come to the rescue; make this more or less a burning question. If my Amendment is accepted I think the people will run into three years' arrears, and will avoid the hardships of having to pay this money year by year.

Amendment proposed, in page 1, lines 6 and 7, to leave out "one month," and insert, "three years."—(*Mr. Blane.*)

Question, "That 'one month' stand part of the Clause," put, and agreed to.

Amendment proposed, Clause 1, page 1, line 7, after the first "may," insert "having previously demanded thereof in writing."—(*Mr. T. Ellis.*)

Amendment agreed to.

*MR. SEALE-HAYNE: I beg to move after the word "may" to insert the words "if the owner of such lands is not under covenant to pay the tithe rent-charge." It would be hard on the tenant to be called upon to pay that which his landlord has covenanted to pay. The landlord may be impecunious and become a bankrupt or run away, or the tenancy being near its termination he may be unable to recover from future rent any payment for which he has been sued by the titheowner, and I desire to avoid the necessity of compelling the tenant under such circumstances to pay twice over. I hope the Government will accept the Amendment.

Amendment proposed, in page 1, line 7, after "may," to insert "if the owner of such lands is not under covenant to pay the tithe rent-charge."—(*Mr. Seale-Hayne.*)

Question proposed, "That those words be there inserted."

MR. MATTHEWS: The hon. Member will see on a moment's reflection that the liability of the landlord to the tenant cannot affect the rights of a third party, the tithe

owner. If the tenant wishes to avoid a distress at present he has to pay. The only remedy the tithe owner has is to go to the occupier and, if he does not pay, to distrain. No doubt there is some hardship in it in cases where the landlord has covenanted to pay, but the occupier has been fixed upon as the person liable to pay for the sake of convenience, as it is sometimes next to impossible to find the owner. The occupier, of course, will not suffer, as he can deduct the tithe from the rent.

*MR. SEALE-HAYNE: The landlord may receive the money from the tenant and may not pay it to the tithe owner.

MR. MATTHEWS: The landlord where he has covenanted to pay will do so, otherwise the amount will be deducted from the rent.

SIR W. HARCOURT: As long as the money is obtained by distress it can be paid only out of the produce of the land; but the Bill now substitutes another remedy. It is said that the tithe is to be stopped out of the rent; but the right hon. Gentleman has never met the point which you, Mr. Courtney, raised on the first night of the Debate, that the rent may not amount to so much as the tithe, or the produce of the land may not be sufficient to pay either the tithe or the rent. It is quite plain that the tenant will be deprived of the security he now has where the produce of the land will not yield the sum claimed.

MR. MATTHEWS: The right hon. Gentleman does not allow for the effect of the sub-section of the clause providing that the judgment recovered may be executed against all personal property on which a distress for the sum can at the date of the execution be levied, and shall not be executed in any other manner. These words restrict the execution to precisely the property on which a distress can now be levied; and the Bill does not provide a personal remedy in the old sense of the word. The exceptional cases in which the rent is less than the tithe, or the property less than both, will stand in the same position as now. Where, then, is the hardship? I believe it is true that in some parts of Sussex the tithe exceeds the rent. In that case, says the right hon. Gentleman, you cannot recover. That is quite true, but neither can you now. The tenant would clearly have an action against his landlord if he were distrained upon under such circumstances. It seems to me, therefore, that the clause inflicts no hardship and no injustice.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. T. ELLIS: I am surprised that the Government are not willing to accept this Amendment. It is aimed at placing the cultivators of the soil in something like an equitable position. The Home Secretary says the provision of the Bill imposes a certain amount of hardship on the tenants. I beg to point out that you are placing a monstrous and intolerable hardship on a large number of the cultivators of the soil. It has been pointed out repeatedly that if this is a debt it is a debt from the landowner. According to the great national contract of 1836 the tithe rent-charge was to be paid by the landowner. So far so good. Not only was that so, but Lord Salisbury in the House of Lords and in declarations made all over the country said that hitherto the tenant had been placed under the inconvenience of having to pay a debt which was not his own debt. It was, he said, the debt of the landlord, and the landlord should pay it. Here is a case in which the landlord is not merely the debtor under the Act of 1836, but has entered into a contract with his tenant that he will pay the debt. When a tenant now refuses to pay the tithe, which is not his own debt, what do you on the other side of the House call him? You call him dishonest, and a Bishop of your own Church, the Bishop of Llandaff, says—

"It is abominable dishonesty; it is comparable to the act of a man who takes money from his landlord's pocket."

Because the tenant does not pay the debt of the landlord, that is how he is spoken of. Now, in this case the landlord solemnly covenants to pay the debt, and yet when my hon. Friend asks that the tenant shall not be distrained upon, the Government say they cannot accept the Amendment. Let me tell the Committee what may occur under this Bill. During the last four or five years agricultural distress has hit the agriculturists of Wales as hard as if not harder than any agriculturists in this country. They

have been able to bear up better than might have been expected, because they live almost indescribably hard and thrifty lives. They have been able to keep their homes together and to keep on their farms owing to a life of very severe thrift and great sacrifice, and by denying themselves not merely the luxuries, but the very necessaries of life. What is the result? In scores of cases when the tithe becomes due they are unable to pay it not merely out of the earnings of the year, but out of the accumulations of many years of thrift, and they have to borrow the money in order to pay the rent, which sometimes includes tithe. On the 1st of June they go to the landlord's office and pay over the rent *plus* the tithe. The very next week they may receive a note stating that the landlord has not paid his tithe, and that the tenant must therefore pay it. Unless under these circumstances the tenant does pay he has to face either distress or the County Court. But the Home Secretary says he has his remedy, because at the next rent day, some time in November, he can deduct the amount from the rent. The Home Secretary says he has an action. What a mockery to say that a yearly tenant can have an action against the landlord—the yearly tenant who can be turned from his home, and in many cases, has been because he has shot a rabbit or because he goes to a Nonconformist Chapel on Sunday. This is what is offered to the tenants in Wales and in England as compensation for the introduction of this wretched, monstrous, and preposterous Bill, every clause of which brings out some new iniquity or some shameful mistake in drafting or some shameful ignorance on the part of those in charge of it.

SIR W. HARCOURT: I really do hope the Government will give way on this Amendment, because the clause is so unjust and so gross that if they do not we must go on discussing it until midnight or mid-day to-morrow. You are providing a means by which the tenants of England and Wales can be compelled to pay tithes. The Home Secretary says that if the tenant is such a weak and foolish man as to pay the tithe to the landlord he deserves all he can get. He is very ignorant, and this is not merely the commonest transaction in the world, but a transaction which the Act of 1836 contemplated, because the rent was to be inclusive of the tithe. It is only by that unfortunate system by which the landowners of England have always endeavoured to defeat every legislative provision in favour of the tenants that it has ever been otherwise. The Act of 1836 intended that the landowners should pay the tithe. The landowners of England combined to agree that they should not pay the tithe but should make the tenant pay it. That is exactly what happened in 1875, when the Legislature determined that the landowners should pay for the improvements of their tenants, and they instantly combined to contract themselves and to "notice" their tenants out of the Act. That is what the landowners have always done. They have always entered into conspiracies to defeat every arrangement of the Legislature in favour of the tenants. The hon. Member for Sussex (Sir W. Barttelot) said the other day that on the greater number of his farms the tenants paid the rent. Under these circumstances, the tenant does pay the tithe to the landlord, because in the rent he pays the tithe. Having paid the tithe in the rent to the landlord, on the understanding that the landlord should pay the tithe, what happens if the landlord becomes insolvent? The tenant then has to pay the tithe twice over. And then you offer him an action against an insolvent landlord. It is against compelling the tenant to pay the tithe twice over that this Amendment is aimed. Can anything be more simple? What is the use of the Government fighting us hour after hour on this point? Surely they must see that their opposition to the Amendment cannot be justified to their constituents. I cannot believe that the tenants and their supporters can refuse to give to the tenantry of England a protection of this kind, to which they are so plainly entitled.

*MR. STUART RENDEL: I hope this Amendment will receive some attention from the Government, because it aims at an injustice which lies at the bottom of our objection to this Bill. The tithe which is properly a lien on the land has been made by the Act of 1836 a debt recoverable on the produce of the land in the possession of the occupier. That is a very great hardship on the occupier, but I suppose it was brought about by the

difficulty of finding any other *corpus* against which a remedy could possibly be sought. The Government now make an excuse of the existence of that hardship for the creation of a new grievance of a very much graver character. They propose to turn the tithe into a personal debt against the occupier. Surely that is an extraordinary hardship and a great grievance. But now it appears that that grievance is to be placed on the occupier, even in cases where the landlord has contracted with the occupier that he will pay the tithe. I submit that that is a monstrous aggravation of the injustice. I do not think it has yet been observed that there is a positive advantage to the landowner in inducing the tenant to pay the tithe in reference to abatements of rent called for by the feeling of the country generally. If it is the habit in the district for the landlord to abate 10 or 15 per cent of the rent, the landlord who does not pay the tithe gives 10 or 15 per cent on less than the true rent, and on a smaller sum than the landlord who pays the tithe, and there are probably many clever landlords who expressly pay the tithes in order that they may be generous at a cheap rate. I have known a large landowner admit that that was the cause of the custom of payment of tithe by the tenant on his own estate. It does seem a most unreasonable thing to urge that men whose landlords have actually covenanted to pay the tithe should be compelled to pay it themselves.

MR. H. H. FOWLER: I only wish to appeal to the sense of justice of Gentlemen opposite who are favourable to this Bill in reference to this Amendment. Just let us see what is the case the Government have made for the Bill. The Attorney General and the Home Secretary say the Bill is brought in to deal with the cases of tenants who can pay and will not pay, and that we need a speedy and easy mode of recovering the tithe rent-charge from tenants who are liable under their agreements to pay the tithe, and who, having the means to pay, will not pay. That is the point of view of the Government. I am not going to argue now whether they are right or wrong. We say that, admitting the grievance and the remedy, there is another class of tenants who have contracts with their landlords, under which the latter have covenanted to pay the tithe. Are they to be subjected to this exceptional mode of recovery in order that the landlords may recover through them? I do appeal to the sense of justice of hon. Gentlemen opposite whether it is not a monstrous thing to put on the tenants a special liability for that which the landlord has covenanted to pay. Let me quote the words of Lord Salisbury upon this very point. Speaking upon the Bill which the Government introduced two years ago the Prime Minister said the object of the Bill

> "Is to relieve both the tithe owner and the farmer from grievances under which they at present suffer—the tithe owner that he has to recover a tithe from the person who does not owe it, and the farmer from the grievance that, though he does not really owe, it he is called upon to it. I am aware that the farmer is put into that position by his own act—by an agreement made with his landlord—but the inconvenience of the process is unquestionably very great, because all variations in the amount of tithe fall upon the farmer, and are felt by him in bad times, causing much exasperation, owing to the farmer having to bear the brunt of the payment at a time when he can least afford it, and leaving him subject, if he does not pay it, to a process—that of distraint—which we know from experience is singularly calculated to excite popular feeling. . . There can be no doubt that it is the land, and the land only, that is liable for the tithe. The occupier never has been, and is not now, by law liable. What is liable is the gross produce of the land. If the land yields no produce then there is no tithe due. That has been the case hitherto, and that will still be the case under this Bill. Though the Bill makes the landowner liable for the tithe, it really only provides a change of procedure, substituting the simpler procedure of the County Court in the place of the ancient and exasperating procedure of distraint."

What was Lord Salisbury's principle? It was that it was altogether a mistake to make the occupier liable in any sense of the word, that the owner was the man liable, and that even if the occupier had entered into a contract the inconvenience was so great that the Legislature was bound to step in and deal with it. The Government now ask that where the landlord has agreed to meet what was his original obligation, but refuses or neglects to do so, the tenant is to be made liable, is to be County Courted, is to be distrained upon; and the Home Secretary, in his light and airy way, tells us that the tenant can bring an action for the recovery of the sum of money he has been most unfairly compelled to pay.

I put it to hon. Gentlemen whether, as a matter of simple justice between landlord and tenant, they ought not to accept this Amendment?

Sir R. WEBSTER: Judging from the way in which some of my observations have been received, I am afraid it is not much good making any distinct statement in this matter. All I can say is that if the injustice suggested by the right hon. Gentleman were brought home to my mind, I should be one of the first to vote for the Amendment; but it is because the right hon. Gentleman has, unintentionally of course, lost sight of the real position, that he has failed to see that injustice does not exist. The right hon. Gentleman seems to have forgotten that the tithe receiver has no remedy against the owner of land. Whether or not an Act should be passed to alter the state of things is another matter; but at the present time, as the law now stands, as the law will stand after this Bill is passed, the tithe receiver has no remedy against the owner at all. We must bear that fact in mind. Our view is that we ought to get rid of the exasperating remedy by distraint. We may be right or wrong, but, as Lord Salisbury said, we think a great deal of those troubles have come about because of the method in which tithe is to be recoverable. The process of distress, whether it be for rent or tithe, often has produced trouble, disturbance and turmoil in the districts in which it is resorted to, and therefore we are providing an alternative remedy. The right hon. Gentleman says we ought to provide that alternative remedy in cases where the landlord has covenanted to pay the tithe. The argument of the right hon. Gentleman applies to the law as it stands now. Where the tenant has paid what is called a higher rent, the tithe receiver has no alternative; he must distrain, he must go against the occupier as the law now stands. What we want is to induce people to resort to the County Court remedy, and not to the remedy by distress. The tithe receiver knows nothing about the covenants between the owners and the occupiers. The title receiver cannot tell whether the tenant is paying a rent whereby he is to pay tithe or not. [Mr. Seale-Hayne: He knows it by the agreements.] He cannot know it before he takes proceedings; he cannot tell whether the rent is one inclusive or exclusive of tithe. But whether the tenant is to pay the tithe or not, the only remedy the tithe receiver has got is to go against the occupier. We may be wrong, but we believe the alternative remedy suggested will remove the cause of disturbance in many cases. Why should we not be allowed to provide a resort to that which we believe will have a salutary effect? If we were to increase the burden on the occupier by a single fraction, I admit the right hon. Gentleman the Member for Derby, and the right hon. Gentleman the Member for Wolverhampton would be right, but they will recollect that by Section 2 of Clause 1 the tithe receiver is only to be allowed to levy by execution on the same goods and under the same circumstances as the distress would be levied. I respectfully urge there is no reason for excluding from the operation of the Bill the particular case in which the tenant has got a remedy against the landlord.

Mr. H. GARDNER: I am one of the last to wish to believe that Her Majesty's Government are anxious to stereotype injustice, but I am drawn against my will to say they are doing so. The Attorney General has admitted there is injustice under the existing state of circumstances. He has pointed to it as a matter which ought to be remedied, and yet in this Bill he stereotypes the very thing he admits to be an injustice. You have disturbed the settlement of 1836, and you are not ready to face the consequences. The Attorney General tells us the occupier has the remedy against the landlord of bringing an action. What is the reason for recovering from the owner, and through the occupier? One hon. Gentleman assigns as a reason, that the landlord is often a very mysterious person, whom it is difficult to get at. If such is the case, how is the poor tenant to fare? The Government have brought forward this measure in the interest of the tithe owner, and they will do nothing in the interest of the tithe payer.

Mr. AMBROSE (Middlesex, Harrow): It is quite clear that the tithe-owner may have great difficulty in knowing who the owner of the property is. In the case of the income tax the occupier is made the payer, because the Government has no means of knowing

who is the actual owner. When a man makes a contract he knows with whom he is dealing. The tenant knows with whom he is dealing, but the tithe receiver does not of necessity know who the landowner is. I cannot agree with the right hon. Gentleman the Member for Wolverhampton with regard to the stereotyping of injustice in this case. When the landlord and tenant agree that the landlord is to pay the tithe the tenant knows that he is primarily liable. He is liable to have his goods seized by way of distress. A jeweller whose shop is liable to tithe is liable to have every article of jewelry swept away. It is an entire mistake to suppose that the tithe rent-charge is only issuable from the produce of the land. The tithe rent-charge actually issues from the land, but every particle of property belonging to the tenant is liable to be seized.

MR. ARTHUR WILLIAMS: I was very much puzzled by the reply of the Attorney General to the strong appeal made by the right hon. Gentleman (Mr. H. H. Fowler). The hon. and learned Gentleman says the law as it at present stands gives the tithe owner no remedy against the landowner. I turn to the Bill which Lord Salisbury spoke of in the speech which has been quoted, and I present the Attorney General with the easiest way out of the difficulty. In the Bill introduced by the Government two years ago I find that in the first instance the landowner was to become primarily and only liable for the tithe. All the problems about the tithe rent-charge issuing out of the land and the produce of the land fall to the ground in face of the very measure which the Government brought in last Session. You only want to adopt a part of the clause of last year, and you get out of the difficulty at once. The words of last year's Bill are—

"After the commencement of this Act any owner for the time being of such land who has agreed to pay the tithe shall be liable to pay such rent-charge and all arrears thereon upon being due, and the same may be recoverable in the manner provided by this Act."

There you have an alternative remedy.

MR. A. STAVELEY HILL: The difficulty which arises here is that which would have arisen on an Amendment further down — namely, who is to be the person primarily liable, the occupier or the owner? Some of us have thought that, under all circumstances, the owner was the person to be held liable, and, above all things, that he should be liable under the circumstances stated in this Bill. It is said by my hon. and learned Friend (Mr. Ambrose) that there is some difficulty in finding who is the owner of the land. To my utter surprise I heard that statement cheered by the Leader of the House and the Home Secretary. If they will go into their own parishes and look at the rate books they will find there is nothing more certain than who is the owner of the land. The occupation of the land is sometimes uncertain, but the owner of the land is easily discoverable. Now, who should be liable, and should an agreement between the landlord and tenant be taken notice of? It is said that an agreement has been made between the landlord and tenant of which the tithe owner cannot know. If you are to take advantage of an agreement which makes the tenant liable, why not take advantage of an agreement which makes the owner liable? The landowner is the person who is properly liable.

MR. G. OSBORNE MORGAN: The Attorney General confesses there is a gross injustice. Yet he says he is powerless to remedy it. It is said that the landlords will not benefit by this Bill, and I do not know that any class will particularly, and if this Amendment is rejected I fully expect that in county constituencies we shall have a walk-over at the next General Election. I cannot imagine any agricultural voter supporting the Attorney General. But I prefer to support the Amendment simply on the grounds of justice. The Amendment deals simply with the cases of landowners under covenant to pay the tithe rent-charge. No doubt, in the first instance, the tenant will be liable for judgment and execution, and you have given him the remedy of action against the landlord. But supposing the landlord is abroad or that he is insolvent, how is he to get back the money he has wrongly paid? It seems to me you put the tenant under the harrow first and then you leave him to chance for his remedy. The argument that the landlord may not be known has, of course,

been disposed of by the hon. and learned Gentleman opposite. Of course, the landlord will be known. I think the Amendment is simply justice.

*MR. GEDGE (Stockport): I agree that it is against the owner and not the occupier of the land that the primary remedy should lie when tithe rent-charge is not paid, and I hope a number of the hon. Gentlemen who have spoken in support of that view will support me when we come to the point at which I shall propose to substitute owner for occupier, which will give the opportunity of applying the remedy where it ought to be applied. But for all that I cannot support the Amendment before us, and I will explain why. The Amendment is to this effect, that if there be a contract between occupier and owner, whereby the owner is to pay the tithe rent-charge, then the tithe-owner is to be deprived not of all remedy against the occupier, but only of the particular remedy in this Bill. The hon. Member does not propose to take away from the tithe owner the power of distraint upon the goods of the occupier, if there be such a contract between him and the landowner as is contemplated in the Amendment. That remedy would remain, and the only difference acceptance of this Amendment would make would be that the tithe owner, driven from this remedy, would be obliged to have recourse to distress against the tenant, and so practically this Amendment would give the contracting tenant no protection at all. There is this further hardship to the tithe owner, that he might not be able to find out whether such a contract existed until the defence was put in to his action, and he would then be mulcted in the costs. Of course the practical difficulty about the owner is not to find out who he is, but where he is. You may, as my hon. and learned Friend says, readily find out who the landowner is, but the difficulty is to find out where he is. It may be difficult to sue him, but really this question does not arise. It is not necessary for the occupier who pays under pressure tithe rent-charge, which the landlord has contracted to pay to sue the landlord, because he can deduct the amount from the next rent due, and so the occupier will have no grievance. I think I have shown the Amendment will not have the effect which is desired. That effect, however, will be gained by the Amendment of which I have given notice, and consequently I look forward to carrying that by a considerable majority.

MR. H. H. FOWLER: The Attorney General has alluded to an action against the owner, but that does not arise. The point really is, addressing myself to the Attorney General's argument, if this remedy which the Government propose was to be an absolutely substituted remedy there would be no alternative, and then, I admit, the Attorney General's argument would be a very difficult one to answer, but the case is this: the Government leave the old remedy precisely as it was, but this gives an additional and alternative remedy against this improper proceeding of tenants whom the tithe owner waits to punish. The Attorney General admits there is an injustice in the present arrangement, and he charges us with wishing to stereotype it, but that we do not wish to do. What we propose is that the present arrangement should remain as it is, that the produce of the land only should be liable, and that the tenant should be liable to distress in respect to that produce, and that that should be the only remedy the tithe owner should have against a tenant in the event of the tenant being under contract with his landlord not to pay tithe. The hon. and learned Member for Harrow (Mr. Ambrose) assumes that the occupier is personally liable, but there is no provision in the law as to personal liability in respect to tithe-charge. The landlord is not liable, the tenant is not liable, there is no person in existence at the present moment who is liable. Now, the Government say we are going to make the tenant liable to be sued, and assuming that that is necessary, we say, do not extend that liability to those cases where the landlord has contracted to pay the tithe rent-charge. That is the point, and a good deal that has been said is beside the mark. As to finding the landlord, the tithe-owner cannot do so now, nor can he touch the tenant, all that he can touch is the produce of the land, and we do not wish to interfere with that arrangement, we would have

it remain as it is, the hay, the corn, the produce of the land being liable for the payment of tithe. When you enable these tithe-owners to put the occupier into the County Court, you give him the power of imposing upon the occupier the additional penalty of costs, no inconsiderable item. The Attorney General says how is the tithe-owner to know of the existence of the contract, and, of course, he would not know if the contract were a secret one, but I say that does not touch the case. If it was to be the only remedy, then the Attorney General's argument would be sound; but we do not interfere with the remedy existing, and there is always the produce upon which the tithe-owner can distrain. There is an alternative remedy, and what we say is let the *status quo* be preserved, do not make the occupier liable to twice payment of the tithe, *plus* the cost of the County Court proceedings.

*MR. H. R. FARQUHARSON (Dorset, W.): We are told that the tenant can withhold the amount of the tithe from his rent; but may I ask what is to happen when the tenant's rent does not equal the amount of the tithe? It is not an impossible case, there are many acres in Wilts and Hants, and, I think, in Dorset also where the rent is less than the tithe. I certainly think the tenant farmer, under this Bill, may find himself in the position of being compelled to meet a demand for tithes, for which, owing to the smallness of his rent, he might not be able sufficiently to recoup himself.

MR. HALLEY STEWART (Lincolnshire, Spalding): The question of the hon. Member who has just sat down will be of even greater importance if the Committee will remember that in addition to the tithe itself there will be the County Court costs. I am not quite sure whether the latter could be recovered from the landlord. The question is, where there is a covenant between landlord and tenant by which the landlord is to pay the tithe and does not do so, can the tenant recover both tithe and costs? It seems to me there is a considerable *lapsus* that may involve the tenant in serious responsibility. There are lands just within the verge of cultivation to which the question of tithe is just that which will decide whether the land shall go out of cultivation, and this, therefore, is a serious question from the producer's point of view. I am sure there is not a Member on this side who did not feel confident that the Government would accept this Amendment. What has become of all the Government promises, to look at this from the tenant's point of view, and that some part of the obligation should rest upon the landlord? I take last night's Division List as showing that the sense of the House is in favour of making this a landlord's charge instead of a tenant's charge, and this should make it obligatory upon the Government to accept the Amendment of my hon. Friend. It is a fact that ought to be stated that we should have been in a majority last night but that five of our Members were in prison.

MR. HANDEL COSSHAM: We are losing sight of the essential point. It is admitted on both sides that the landlord is chiefly liable, and the whole of the talk seems to me to get him out of his liability and to put that liability upon some one else; but let us go straight to the point, if the landlord is liable let that be distinctly laid down. The landlord ought to be liable, and to be prohibited from contracting himself out of the liability, as employers are prohibited from contracting themselves out of the Employers' Liability Act.

MR. STANLEY LEIGHTON: There appears to be some confusion in the minds of some hon. Members as to who is liable for the tithe rent-charge by law, but there is no doubt whatever that the occupier is the person liable for tithe rent-charge all over England, and upon the occupier only can the tithe owner come. [*Cries of* "No!"] And not only can the tithe rent-charge owner come upon the occupier for the produce of the land, he can come upon his personal property, his house or other property upon the land; even a railway station and its plant may be liable on tithe-paying land.

MR. A. STAVELEY HILL: There there is a special Act.

MR. STANLEY LEIGHTON: My hon. Friend interrupts me, but I think my knowledge of the law on this subject is equal to his. From the occupier

alone is the tithe rent-charge owner able to recover his debt; and as for the landlord contracting to pay the tithe rent-charge, why such a thing cannot exist. The landlord can never contract to pay the tithe rent-charge. The only mode in which the landlord may become liable for the tithe rent-charge is by the tenant contracting with him that he will not deduct the tithe rent-charge which he pays from the rent; that is the only way in which the landlord becomes liable—by the deduction which the tenant by law is able to make from his rent for tithe rent-charge. Hon. Members seem to think that is an injustice, but it is in precisely the same position as the property tax. This cannot be levied on the owners, it can only be levied on the occupiers, and the occupiers have by law the right to deduct that income tax from the rent they pay their landlords. It is evident that it is impossible to get hold of and claim this from the landlord; he may live abroad, in France or in Australia; you can only come down upon the occupier and give him the right of deduction from the rent.

MR. A. STAVELEY HILL: Just a word in reply to my hon. Friend and his reference to railway stations and engines being liable to tithe rent-charge. I may inform my hon. Friend that this question of railway stations is dealt with by special Act of Parliament.

SIR W. HARCOURT: The speech of the hon. Member opposite shows how necessary it is to continue these Debates. That a County Member who sets up as a great authority on the tithe question and writes letters to the *Times* should say that the occupier is liable shows such a condition of Cimmerian darkness that we must continue the process of education. The hon. Member is entirely mistaken. Not merely is the occupier not liable, but it is part of the contract—it is expressly provided in the Act of 1836—that he shall not be liable. The words of the Act are—

"Provided always that nothing herein contained shall be taken to render any person whomsoever personally liable to the payment of any such rent-charge."

MR. STANLEY LEIGHTON: But his goods are liable.

SIR W. HARCOURT: That is not the same thing. That the hon. Member should fail to perceive this distinction between goods and occupier shows that he does not apprehend the very elements of the question. The hon. Member for Dorsetshire has appealed to the Government to give some satisfaction on this point. Suppose the tithe rent-charge should be greater than the produce of the land itself—which, notwithstanding what the Home Secretary has said, is a very ordinary occurrence—if the hon. Member were right the tenant would still have to pay it. The tenant in some cases pays the tithe in his rent to the landlord. Having paid it once he may be called upon to pay it over again. That is a grievous injustice, and I cannot understand how the Government can persist in refusing in some way to remedy it.

MR. MATTHEWS: I cannot complain of the right hon. Gentleman urging his arguments; but I am afraid I can only give the same answer again. The right hon. Gentleman asks why the Government commit the injustice of making the tenant pay the tithe? He now says that probably the tenant pays a rent in which the tithe is included, which covers the tithe. What happens to the tenant now?

SIR W. HARCOURT: No doubt there is some sort of grievance arises now, but in making a new arrangement I say you ought to remedy this. It is no answer to say what is the course pursued now, because the Bill gives a new remedy, and, in giving it, we ought to protect the tenant from injustice.

MR. MATTHEWS: I do not admit that this is a new remedy which alters the incidence of the charge. I say that at the present moment, whatever rent the tenant pays, and whatever covenant the landlord has entered into, the law, for reasons of general convenience, in spite of the particular hardship, is that the goods of that tenant on the titheable lands are liable to be seized in the first instance. We do not enlarge that liability by one hair's breadth. We say these very same goods on these very same titheable lands shall still be liable to be seized, and none else; the only difference is that they will be seized by the County Court bailiff, and not by the private bailiff. There is no reason for upsetting what is, on the whole, a convenient arrangement, which the expe-

ience of 50 years has shown to be the only one possible, and which is adopted for income tax as well as for tithe rent-charge. The Bill renders the same goods of the occupier liable to be seized under the same circumstances.

MR. H. GARDNER: But not under the same covenant.

MR. MATTHEWS: The covenant has nothing to do with it. But I am assuming the same covenant, and that the landlord has covenanted to pay the tithe. If the Bill does not pass, the distrainable goods of the tenant upon titheable lands are liable to be seized, notwithstanding the covenant. The Bill says the very same goods on the same titheable lands shall also be liable to be seized, notwithstanding the covenant. To talk about that being a disturbance of the settlement of 1836 may do for a platform, but hardly for the House of Commons.

MR. H. GARDNER: This is a most important matter. The right hon. Gentleman does not recognise the principle of his own Bill, and when he says that we are only going to do the same thing that was done in 1836 he forgets that under the Bill the tithe-payer can be County Courted, and that there will be costs against the defendant. That presents a very different state of affairs to that which existed under the Act of 1836. We are merely asking the Government to do an act of justice in asking them to allow the tenant who is to deduct the tithe from his rent also to deduct the costs of the County Court proceedings from his rent. If they do not agree to that it will be an injustice to the tenant, the landlord having covenanted to pay the tithe. I can assure the Government this Amendment will make the Bill work easier, and I would strongly urge them to accept it.

MR. MATTHEWS: The hon. Member is perfectly aware that the cost of the distress can be deducted at present.

MR. H. GARDNER: Yes; half-a-crown.

MR. MATTHEWS: No; the cost of the levying by a man in possession. ["No, no!"] The costs of the levy under a distress are as great as they would be under the County Court. No doubt the preliminary costs under the County Court process would be heavier; but the point is this—the tenant now cannot deduct the costs of distraint, because it is his own fault if they are incurred.

*MR. GRAY: I cannot agree with the Home Secretary. Tithe is not on all fours with Income Tax, which bears a much smaller proportion to the rent. In many cases tithe is more than the rent. It is not the tenant-farmers who ask for this legislation; it is being forced upon them; and they have a right to ask that if a change is made they shall not be allowed to suffer. Take a case of this kind: a landlord has a farm on his hands; the man who has given it up has been struggling with adversity and has got the farm into a bad condition; the landlord goes to another farmer whom he knows, and in whom he has confidence, and says—"I cannot farm this land; I have not the means to spare; you must take it under easy terms;" and perhaps a bargain is agreed upon, whereby the farmer takes the land for the first year, rent free, the second year at 2s. 6d. an acre, and the third year at 5s. Under those circumstances, where the rent for the first year is absolutely nothing, how can you provide that the tenant can deduct the tithe he pays from the rent?

MR. SWETENHAM (Carnarvon, &c.): I wish to see the saddle put upon the right horse and the owner made liable permanently; but I cannot accept this Amendment, because, if the goods of the occupier are not to be distrained upon when the owner is under a covenant to pay tithe, the tithe-owner will have no remedy at all. He cannot sue the owner of the land, because under the Act of William IV. no one is to be made personally liable. The Amendment does not give power to the titheowner to sue the landlord as if it were a personal debt.

MR. H. H. FOWLER: It leaves the right of distraint.

MR. SWETENHAM: That is true, but I am now dealing with the effect of the Amendment. I say it cannot be supported, because it would leave the tithe-owner without a remedy in a case where the landowner had covenanted to pay the tithe.

*MR. STUART RENDEL: From a Welsh point of view this question of costs is an important one. We regard this as a penal measure. Although hon. Members opposite may consider

that our grievance is purely a sentimental one, we have a practical grievance, which is that the County Court may be made a vehicle for piling up costs against us. At present it is comparatively easy to make a certain amount of peaceful and orderly resistance, within the law, to the payment of tithe. That resistance is easy and economical—economical, because though the occupier was made liable to distress, he had the security in the Act of 1836 that the costs would only be of a moderate amount. It is a distinct breach of the contract of 1836 to come forward now and pile up costs against the occupier. At present in Wales it is not difficult to organise a sort of campaign against tithe. Personally, I have no sympathy in that.

THE CHAIRMAN: The hon. Member, I think, has lost sight of the Amendment.

*MR. STUART RENDEL: I am sorry if I have done that. What I wish to point out is, that through the imposition of these costs it may possibly be made more difficult to carry on anything like a campaign, but that the mischief will only be driven underground.

THE CHAIRMAN: Order, order!

MR. PHILIPPS: Hon. Members who support the Government seem to rely very much on the fact that the tenant who has to pay the tithe will be able to recoup himself by deducting what he pays from the rent. But do they know that in a large part of the country the tithe is more than the rent? I can say from my knowledge of the Wiltshire Downs that there are many thousands of acres of land there on which the tithe is double the rent. I should have thought that the right hon. Gentleman the President of the Board of Trade would have been able to corroborate that. I fancy there is a good deal of land in Hampshire of which the same may be said, and I would appeal to the hon. Member opposite, who represents some portion of that county. I forget what Division he represents, but I refer to the hon. Member, who always speaks against the Bill and votes for it, to say whether my statement is not correct. In these cases the tenant cannot possibly recoup himself by deducting the tithe from the rent, because there is no rent, or very little rent. That is what makes this Amendment a remedy for a very practical grievance.

*MR. WINTERBOTHAM: By the Bill as it at present stands the tenant farmer is not only put in the position that he will have to pay a debt which the law declares to be the debt of his landlord, but if the claim happens to come at a time when it is not convenient to meet it, in one month he will have to pay with County Court costs which will not be recoverable. And he will have to do something else—having paid his landlord's debt he will have to wait until he can get the money back from the landlord. The tenant farmers are many of them very poor, having passed through bad times, and it may happen to be a very serious thing for them to have to pay this debt and wait two, three, four, or perhaps six months until the rent day comes round, and they can deduct the tithe from the rent. Hon. Gentlemen opposite, who represent agricultural constituencies, appear to be becoming pretty well agreed that in principle the burden ought to be removed from the occupier and placed on the shoulders of the owner of the land. When the proper time comes I hope we shall have a satisfactory Division to affirm that principle; but it does seem to me strange that these very same hon. Gentlemen, who have over and over again in the course of their speeches given their assent to the principle, should resist an Amendment which only goes half as far.

MR. WADDY (Lincolnshire, Brigg): As representing a division of a county in which the burden of these tithes is felt as much as anywhere else I desire to point out what I believe to be another difficulty. According to the law at present the remedy of distraint is a remedy upon the goods or property upon the particular land in respect of which the rent-charge is claimed; but construing this section with the next, a County Court judgment under this Bill will not be limited to any particular property at any particular place.

MR. MATTHEWS: Yes, it will.

MR. WADDY: All I can say is I do not agree with the right hon. Gentleman in that, and I have read the Bill as carefully as possible. Of course, if it is intended to limit the judgment, I

am satisfied; but it seems to me that any of the personal property of the occupier may be affected by the judgment.

MR. MATTHEWS: Any of the property on which now there can be a distraint.

MR. WADDY: A man may have property in parish "A" and property in parish "B," and the judgment could be applied to either. ["No, no!"] Yes; the right hon. Gentleman will see that that is so if he looks carefully at the Bill. There is nothing to limit the distress.

*MR. GEDGE: I would point out that according to the Act of 1836, if several sums are due from the same occupier in respect of different closes held under the same owner the distress may be levied on all these sums put together on all the closes, and this Bill leaves the matter precisely as before.

*MR. SEALE-HAYNE: I regret that after the Home Secretary's admission, that a serious grievance was possible under the clause as it stands, the Government refuse to accept this Amendment. Before going to a Division I desire to warn hon. Gentlemen opposite to think well what they are about to vote for—it is for setting up under the provisions of this Bill the possibility of the tithe-payer having to pay tithe rent charge twice over. This would be a gross injustice to tenant farmers, and it is a pity the Government have made no effort to meet the present proposed Amendment of this Bill, which is a Bill for the purpose of "remedying the law," and not of setting up an injury.

MR. P. MORGAN (Merthyr Tydvil): I think this is a fair Amendment. The landlord should not be relieved from the covenant he has entered into, although the Government, in refusing the Amendment, seem to desire that he should. I have been for the past two days exercising my mind to discover what object the Government can have in pushing on this measure. As was said on the Second Reading——

THE CHAIRMAN: The hon. Member is not entitled to repeat a Second Reading speech.

MR. P. MORGAN: The Attorney General said he preferred the County Court remedy to the remedy of distress. I desire to point out why, in my opinion, the hon. and learned Gentleman prefers the one remedy to the other.

THE CHAIRMAN: The hon. Member must keep to the Amendment.

MR. P. MORGAN: I will only say that the Government can have no other object in refusing to entertain the Amendment than this—that they wish to relieve the landlord from a covenant which he has entered into. I see no earthly reason why the land itself should not remain liable for the tithe.

MR. CHANCE (Kilkenny, S.): Unless the Amendment is adopted the state of things will be this—that if the landlord chooses to be dishonest the tenant has first to bear the cost of the distraint; and, secondly, he has to bear the sacrifice of the produce. This is a new and novel remedy. It is admitted that if the landlord covenants to pay and does not pay he is dishonest, and yet, by this Bill, the Government propose to punish the tenant by two modes for the dishonesty of the landlord. Under the old system the tenant could not be made a bankrupt in respect of tithe, but this will no longer be the case.

The Committee divided:—Ayes 139; Noes 150.—(Div. List, No. 304.)

*MR. SEALE-HAYNE: I have now to move another Amendment to Clause 1—namely, in page 1, line 7, to leave out the words "whatever the amount of the sum may be." I say it is contrary to justice that the tenant should be liable to be sued in the County Court for the landlord's tithe, and that the powers of the County Court should be enlarged for this purpose in the way proposed by the Bill. It is about five hours since I called the attention of the Home Secretary to the provisions of the Act of 1866, in which the powers of the County Court, with regard to extraordinary tithe, are limited to £50, and no reply has been given to the question, if that were considered a proper limitation in regard to extraordinary tithe in 1886, why are we in 1889 to have the powers of the County Court extended in order to meet the case of a few Welsh parsons? It would be a monstrous injustice to strain the law for such a purpose; and I protest against our being kept here to the end of August, and possibly the beginning of September, over a measure of this kind,

when matters of far greater importance—such, for instance, as the Indian Budget—are being kept in the background. But Her Majesty's Government regard the well-being of 250,000,000 of Her Majesty's subjects as nothing compared with a measure providing the means of enabling a hundred or so of the Welsh clergy to recover tithes from the tenant farmers. I trust Her Majesty's Government will agree to the omission of these words, and that they will afterwards accept a further Amendment which would limit the power of the County Court to £50.

THE CHAIRMAN: The point raised by the Amendment of the hon. Gentleman has already been decided. The Committee has refused to maintain the limit of £50, which is the County Court limit.

SIR W. HARCOURT: Yes; but on the point of order I would say that that is only the County Court limit in a particular case, and it has been pointed out that £50 is not the general limit. In many cases the jurisdiction of the County Court extends to £100, and even to £500 or £1,000. The Committee has, I admit, declined to impose a £50 limit, but this Amendment is a proposal of a different character; and I submit that though these words "whatever the amount of the sum may be," cannot be governed by an Amendment imposing a limit of £50, yet we are proposing to omit words which are now in the Bill, words which entirely alter the whole condition of the existing County Court jurisdiction. I hope we may be allowed to take a Division on this proposal, because we desire to enter our protest.

THE CHAIRMAN: Order, order! The right hon. Gentleman is not speaking to the point of order; he is addressing himself to the Amendment.

MR. G. OSBORNE MORGAN: May I ask whether it would be in order to move the omission of the words referred to in the Amendment, in order to insert "in cases not exceeding £100"?

THE CHAIRMAN: Possibly, if the omission of the words is moved with the intention to insert a limit of £100, such an Amendment might be in order. The hon. Member who has moved the Amendment referred at the end of his speech to a limit of £50 as that which he desired to substitute; but, apart from that, the effect of the omission of the words would be to introduce the County Court limit of £50, and the Committee have already refused to maintain that limit.

*MR. SEALE-HAYNE: That would hardly be the case if we were to stop at this Amendment, which only proposes to omit the words "whatever the amount of the sum may be." I propose to fix a limitation further on, but that is not before the Committee now.

THE CHAIRMAN: I am afraid I have not made myself intelligible. If the hon. Member has some other Amendment on the Paper which will bring this Amendment within the scope of admissibility I will allow it to be moved; but as it now stands, it is strictly in itself inadmissible.

MR. T. M. HEALY (Longford, N.): Would it be in order to move the omission of the words referred to in order to insert the words "in cases not exceeding £100"?

SIR W. HARCOURT: I rise to order. My hon. Friend below the Gangway has asked a question which I beg to repeat. You, Sir, have ruled that, inasmuch as the Committee have already decided against a £50 limit, the Amendment to omit the words "whatever the amount of the sum may be" cannot be moved; but if it be proposed to omit those words in order to insert the words "in cases not exceeding £100," that would not be the limit of the County Court jurisdiction, but would be an entirely new proposition. Therefore I propose to move the omission of the words "whatever the amount of the sum may be" in order to insert the words "in cases not exceeding £100."

THE CHAIRMAN: I carefully restricted myself to pointing out that the Amendment was out of order as it stood; but I did not say it was impossible to move the Amendment in connection with another amount.

SIR W. HARCOURT: But if the words "whatever the amount of the sum may be" remain, it would be impossible to insert the words "in cases not exceeding £100." Therefore, in order to insert the latter words, we must get rid of the first; consequently, I beg to move the omission of the words "whatever the amount of the sum may be," so that afterwards, in the proper

place, I may move to insert words raising the limit from £50 to £100.

THE CHAIRMAN: The right hon. Gentleman now proposes to put before the Committee a complete, intelligible, and consistent Amendment, which I will accept.

Amendment proposed, in page 1, line 7, to leave out the words "whatever the amount of the sum may be."—(*Sir William Harcourt.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. T. M. HEALY: The effect of that Amendment would be a very rational one——

THE CHAIRMAN: Order, order! Surely it is needless to occupy the time of the Committee as to the admissibility of an Amendment which is now before the Committee.

MR. T. M. HEALY: I apprehend that if the Amendment now before the Committee is carried, it will be possible afterwards to insert a limitation of £100, which I think would only be reasonable seeing what takes place in the English County Courts. I hope we shall have from the Attorney General to-night his view of the practice of the English and Welsh County Courts. We heard a great deal from him last year as to the inadvisability of giving those Courts jurisdiction beyond a certain sum, and it was urged that they ought not to be allowed to deal with very large amounts. But now we have come to this—that in the view of the Government the County Court Judges may safely deal with the largest sums, provided they are connected with the difficult and complicated question of tithes, where the parsons and Ecclesiastical Commissioners are the creditors; but where it is a mere case of shopkeeper and customer they must not go beyond a small specified limit. The County Court Judges are, in my opinion, most competent to deal with ordinary Civil contract debts; but when we come to questions of this character, I agree with the view taken by the right hon. Gentleman, and therefore I have great pleasure in supporting his Amendment.

The Committee divided:—Ayes 150; Noes 127.—(Div. List, No. 305.)

MR. MATTHEWS: The object of my next Amendment is to enable the tithe-owner to use either the present remedy of distress or the County Court procedure. He cannot have both; he must choose between the two.

Amendment proposed, in page 1, line 7, after the words "may be," to insert the words "if he has not distrained for the same."—(*Mr. Secretary Matthews.*)

Question proposed, "That those words be there inserted."

MR. A. STAVELEY HILL: I am happy to find that at last the Home Secretary is coming round to our view and is admitting a remedy which many of us have suggested. I shall have great pleasure in accepting this Amendment.

MR. H. GARDNER: I beg to move, Sir, that you do report Progress. The discussions this evening have thrown a flood of light on the Bill, and it would be a good thing now if hon. Members were to go home and meditate on what has taken place, especially after the decreasing majorities of the Government.

HON. MEMBERS: Increasing.

MR. H. GARDNER: Hon. Members opposite must be grateful for very small mercies.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Herbert Gardner.*)

*MR. W. H. SMITH: I would appeal to the hon. Member to be reasonable, and not to insist upon his Motion, especially at this period of the Session.

SIR WILLIAM HARCOURT: On the other hand, I would ask the right hon. Gentleman whether it is reasonable at this period of the Session for the Government to go on with this Bill? That is a more pertinent question, considering the character of the opposition offered to the progress of the Bill, and considering the number of votes by which it is supported. I venture to say that proceeding with this Bill on the part of the Government is contrary to all Parliamentary custom, certainly since I have sat in this House. When the Government at the end of a

Session takes the whole time of the House, it has always been on the understanding that it is for the purpose of closing Committee of Supply, and of dealing with what is non-contentious business. That is the well-established rule and practice of Parliament. The Irish Votes have been interrupted for the purpose of taking the most contentious measure that it is possible for the Government to bring forward. It is plain, also, that we are only at the beginning of the discussion. We have succeeded, with great difficulty, and by dint of long discussion, in introducing a great many of our Amendments, and we have also induced the Government to put down some Amendments of their own. I think in these circumstances that the Motion of my hon. Friend is perfectly reasonable, and I hope he will press it to a Division.

MR. T. M. HEALY: We have recently had bitter experience of what takes place at 12 o'clock and after half-past 5 on Wednesday, for on the interruption of business the right hon. Gentlemen has promptly moved the Closure. Therefore, before this Motion is withdrawn, I think we ought to have some pledge from the right hon. Gentleman that he will not at 12 o'clock Closure this Amendment, which, from what I can see of its effect, is an important one. If there is any chance, however, of the Amendment being discussed in the few minutes which remain before midnight without the First Lord of the Treasury moving the Closure, there will be no objection to proceeding. But this is doubtful, judging from past experience, and therefore I suggest that the Motion to report Progress should be agreed to. I think the Amendment of the Government is a most objectionable method of proceeding in dealing with tithe, because it will tell against the Welsh farmers, who are the parties immediately concerned. Will the Government give us a pledge that on this momentous question we shall not be Closured?

THE CHAIRMAN: Order, Order! The hon. Member is not at liberty to discuss the conduct of the Chair, with whom the responsibility for putting the Question rests.

MR. T. M. HEALY: Then I will suggest that the Government should undertake to give us to-morrow reasonable time for discussing this Amendment.

*MR. W. H. SMITH: The hon. and learned Member does not appear to realise that this Amendment has been brought forward to meet the views of hon. Gentlemen opposite. If they are not prepared to accept it, of course it must be withdrawn. As to the strong language used by the right hon. Gentleman the Member for Derby as to Her Majesty's Government persevering with this Bill, the right hon. Gentleman appears to be oblivious of the fact that this Bill is included among the measures which the Government announce it to be their intention of passing into law.

Question put, and agreed to.

Committee report Progress; to sit again to-morrow.

COINAGE (LIGHT GOLD) BILL.

(No. 321.)

Considered in Committee.

(In the Committee.)

*MR. S. MONTAGU (Tower Hamlets, Whitechapel): I hope the Government will accept the new clause which stands in my name. I am not at all opposed to the Bill as far as it goes, but I think it would be wise to insert this clause. The Government are proposing to assume the responsibility for the wear and tear of the gold coinage, and they have assumed it not only by introducing this Bill, but also by declarations of the previous Chancellor of the Exchequer. If the right hon. Gentleman will agree to consider this matter, and bring it up on Report, I will not press it further.

New Clause (Defacing gold coin under weight not to be obligatory,)—(*Mr. Montagu,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I am not prepared to accept this clause. It would open up a very large question, and it must be remembered that I introduced this Bill purely as an experimental measure;

therefore, I am not willing to go further than I have already gone. I hope the hon. Gentleman will not delay the progress of a Bill, the passing of which is so much desired by the commercial classes in this country.

It being Midnight, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again to-morrow.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That the Order be deferred till to-morrow."

MR. T. M. HEALY: Are we to understand that the Scotch Education Vote, and not the Irish Votes, is to be taken immediately after the Tithe Bill is disposed of?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): As I explained yesterday, it will be necessary to take at least the Scotch Education Vote before the Irish Estimates.

MR. T. M. HEALY: Surely this is a most unreasonable course to adopt. The consideration of the Irish Votes was suspended on Friday on the distinct understanding that there was some pressing ecclesiastical necessity to take the Tithes Bill. Now we are told the Scotch Votes are to be taken, meaning that the Irish Members who are farthest away from their homes are to be consulted last.

SIR G. CAMPBELL (Kirkcaldy): Yes; but Scotch Members are quite as far away from their homes.

MR. MARJORIBANKS (Berwickshire): Am I to understand that the Government propose to take a single Scotch Vote, and then allow another interval before taking the remaining Scotch Votes? If so, that is exceedingly inconvenient. I hope that whenever the Scotch Votes are taken they will all be taken together.

Question put, and agreed to.

JUDICIAL RENTS (IRELAND) BILL. (No. 368.)

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. A. J. Balfour.*)

MR. T. M. HEALY: I have no objection to raise to the Second Reading provided the Government give the House some assurance as to what their future course with regard to the Bill will be. As the Bill now stands, we cannot accept it. The object of the Bill is to fix fair rent on what may be called the face value of the land; in other words, that the tenants should be deprived of the benefits of their improvements. I think it would be most calamitous to the tenants if the Bill were adopted in its present shape. One way of meeting the difficulty would be to allow every legal Commissioner to take one or two Subcommissioners more than he now has. But there is another way of getting over the difficulty, and that is that the County Courts should be opened to the tenants. We protested against the County Court Clause in the Bill of 1881 as unfair to the tenants, and in view of our protests the right hon. Gentleman the Member for Mid Lothian withdrew it and substituted the Land Commission. The result is that whenever a tenant goes into the County Court the landlord moves that the case be removed into the Land Commissioners' Court. I think the Government might do much to get rid of the present block in the land cases if they allowed the tenants to go into the County Courts absolutely unless for just cause shown. If the County Courts got into the swing they would greatly relieve the pressure. For instance, there is Mr. Hamilton's Court in County Cork; Mr. Ferguson's, in the West Riding; and Mr. Waters, in Waterford, which would be resorted to. In Tipperary, where Mr. Anderson is the County Court Judge, I think the tenants would be willing to have the cases dealt within the County Court, and I think the tenants would also be willing to go to the County Courts in Meath, Westmeath, and Longford, Leitrim and Cavan, Tyrone, Mayo, and Limerick. In those parts of Ireland with which I am acquainted I am sure the tenants would largely avail themselves of the

County Courts if they were opened to them. Again, the present appeal system is very mischievous, for it permits a re-hearing of a whole case, and enables the landlord to spring new and quite unexpected points on the tenant. The landlord ought to be pinned to the precise point with respect to which he wishes to appeal. A Bill dealing with the matters with which this Bill deals is undoubtedly necessary in order that the pressure upon the Land Courts may be relieved; but the measure in its present shape is not, in my opinion, reasonable.

MR. E. HARRINGTON (Kerry, W.): This is a very important matter on which there should be ample opportunity for discussion, and of the taking of which ample notice should have been given to the Irish Members. I cannot help remembering the attitude of the Government last year on the question, and I shall finish my speech and close the debate by simply uttering the words, "I object."

Objection being taken to Further Proceeding, the Debate stood adjourned.

GENERAL POLICE AND IMROVEMENT (SCOTLAND) ACT (1862) AMENDMENT BILL. (No. 252.)

Considered in Committee, and reported without Amendment; Bill read the third time, and passed.

POLICE AND SANITARY REGULATIONS BILLS (SPECIAL REPORT).

Special Report from the Select Committee brought up, and read.

Report to lie upon the Table, and to be printed. [No. 321.]

Minutes of Proceedings to be printed. [No. 321.]

POOR RELIEF (ENGLAND AND WALES.)

Return ordered.—

"Of Statement of the Amount expended for In-maintenance and Out-door Relief in England and Wales during the half-year ended Lady Day 1889."

"And, similar Statement for the half-year ended Michaelmas 1889."—(*Mr. Long.*)

Return presented accordingly; to lie upon the Table, and to be printed. [No 322.]

MOTIONS.

EXPIRING LAWS CONTINUANCE BILL.

On Motion of Mr. Jackson, Bill to continue various Expiring Laws, ordered to be brought in by Mr. Jackson and Mr. Chancellor of the Exchequer.

Bill presented, and read first time. [Bill 376.]

INTERMEDIATE EDUCATION (WALES.)

Motion made, and Question proposed,

"That the Order made upon the 19th day of June last for presenting to Her Majesty an humble Address that She would be graciously pleased to give directions that there should be laid before this House a Return relative to Intermediate Education (Wales) be read, and discharged."—(*Mr. Stanley Leighton.*)

MR. T. ELLIS: It is impossible that the Joint Education Committee to be formed under this Act can do their work efficiently unless they have the necessary information respecting endowments. I asked the representative of the Charity Commissioners whether, seeing that this Return would be useless, he would be ready to give a pledge that the Charity Commissioners would in some other way obtain the information which is desired. He has referred me to the Secretary to the Treasury (Mr. Jackson), and I wish to ask that hon. Member whether, in view of the fact that the Act will come into operation in November, and that most of the County Councils have given notice that they will put it in operation, the Treasury will afford us facilities to obtain the information that is necessary for the working of the Act?

*Mr. JACKSON: I am afraid I cannot give the hon. Member an answer at once, but I will endeavour to ascertain.

Question put, and agreed to.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Jackson.*)

MR. T. M. HEALY: May I ask the Secretary to the Treasury whether the Expiring Laws Continuance Bill will be circulated to-morrow?

*MR. JACKSON: I cannot say it will be circulated to-morrow, but it will be in a few days.

Question put, and agreed to.

House adjourned at twenty-five minutes after Twelve o'clock.

HANSARD'S PARLIAMENTARY DEBATES.

No. 10.] SEVENTH VOLUME OF SESSION 1889. [AUGUST 22.

HOUSE OF COMMONS,

Wednesday, 14th August, 1889.

QUESTIONS.

IRELAND—MR. M'DERMOTT, R.M.

MR. KILBRIDE (Kerry, S.): I beg to ask the Solicitor General for Ireland whether it is a fact that, in the case of the three men in custody charged with shooting at a man named Trahan, near Pullorglin, County Kerry, Mr. M'Dermott, R.M., has refused their solicitor permission to see them; and, if so, why, and by what authority?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): I must ask the hon. Member to postpone this question until another day. I have not yet obtained the information that would enable me to answer it.

DERRY GAOL—THE DEATH OF M'GEE.

MR. SEXTON (Belfast, W.): I observe in the newspapers to-day that the Coroner's inquest upon the body of M'Gee, who died on his release from Derry Gaol, has been adjourned until the 22nd instant. Will the Solicitor General be good enough, before that date, to lay on the Table all the information he can in regard to the illness of this man?

MR. MADDEN: I will confer with my right hon. Friend the Chief Secretary, and will consider in what manner the information required by the right hon. Gentleman can be given.

JAMAICA SUGAR ESTATES.

Ordered—

"Address for Returns of the quantity of land in the Island of Jamaica under cultivation of sugar cane, distinguishing the estates which are above 200 acres; above 100 acres and under 200 acres; above 50 acres and under 100 acres; above 10 acres and under 50 acres; and, of the holdings under 10 acres, those in canes of 1 acre and less than 3 acres; those in canes of 3 acres and less than 5 acres; those in canes of 5 acres and less than 7 acres."—(*Mr. Alfred Pease.*)

THE LIGHT RAILWAYS (IRELAND) BILL AND THE STANDING COMMITTEE ON TRADE.

QUESTION OF PRIVILEGE.

MR. STOREY (Sunderland): Mr. Speaker, I am sorry that I feel it my duty to bring under your notice what I regard as a breach of the privileges of this House. I shall make no speech, but perhaps I had better read the letter which a number of the Members of the Committee have had the honour of addressing to you, Sir, yesterday:—

"August 13, 1889.

"MR. SPEAKER.—We, whose names are hereto appended, respectfully desire your advice and ruling:—

"1. We are members of the Grand Committee on Trade, to which has been referred the Light Railways (Ireland) Bill.

"2. At the beginning of to-day's sitting the Chairman announced: 'I will rule out of order every Amendment which is hostile to the Bill as a Bill.'

"3. Various Amendments were so treated. As an illustration take the following:—Clause 4, Sub-section 2, reads thus, 'The Treasury may, subject to limitations as to amount in this Act contained, agree that the undertaking may be aided out of public money, either by a capital

sum or by an annual payment, or partly in one way and partly in another.' The minority objected to grants of cash drawn even when this clause only proposed such to existing railways. But in the Committee the Government have accepted Amendments which bring mere promoters into the clause, and this has intensified the objections originally raised. Under these circumstances one of our number moved to omit the words:—'Either by a capital sum or,' so that the aid might be by annual payment only for a fixed term of years. The Solicitor General for Ireland rose to order, on the ground that the Amendment was hostile to the Bill, and thereupon the Chairman ruled the said Amendment out of order.

"We desire your counsel and ruling on the following points:—(a) Are not the discussions in Grand Committee in lieu of discussions in Committee of the whole House, and therefore subject to the same rules? (b) Would not the above-stated Amendment have been a perfectly orderly and proper Amendment in Committee of the Whole House? (c) Whether the refusal to submit such Amendment was not in the nature of a breach of the privileges of Members of this House? (d) What is our remedy, so that this and other proper Amendments, even though hostile, may be discussed in Committee?

"We are, Mr. Speaker, your obedient servants—

"Samuel Storey,
"Halley Stewart,
"John Barran,
"James Craig,
"Arthur B. Winterbotham,
"William Abraham,
"Thomas Burt,
"Joseph G. Biggar,
"Handel Cossham,
"Alexander Blane."

I may say that there were two other hon. Members who left the House after giving their assent to this letter, and whose signatures we did not get in consequence. I refer to Mr. Robertson and Mr. George Howell. Those hon. Members are, however, in full accord with the action we have taken. Without any further remark, I beg, Sir, to ask for your ruling in the matter.

*Mr. SPEAKER: I received last night a letter signed by the hon. Gentleman, and also a protest signed by himself and nine other Members of this House, and I gave it at once my most respectful consideration. I at once indicated to him, and I have to inform the House now, that I do not regard the matter as one of privilege. At the most, it is only a question of order. But I should like to say, regarding as I do all questions of order that may be raised in Grand Committee upstairs, that I cannot allow appeals to be made to me on points of order rising in Grand Committees, there being no such appeal, in my opinion, from the decision of a duly-constituted Chairman of a Grand Committee. The hon. Member asks me whether, as a general rule, Amendments could be admitted which were hostile to the Bill. I cannot, on an abstract proposition, recognise the propriety of that statement. I do not know what were the circumstances that arose in Committee, or what the difficulties may have been; but, speaking without prejudice, I hope I may be allowed to say that I cannot admit that, as a general rule, Amendments hostile to the Bill may not be admitted. I may instance the feeling I have in the matter by saying that, in regard to the particular Amendment which the hon. Member has just brought under my notice—namely, to omit the words "either by capital sum," so as to leave the amount to be granted out of the Consolidated Fund by annual payment instead of by one capital sum—I see no reason why that Amendment, though hostile to a portion of the Bill, should not have been admitted. It is clearly within the powers of a money clause passed by this House, and the money powers given to the Committee. The Committee, I think, would not have exceeded its powers; but they wished to restrain the Bill within such limits as they thought proper. Under these circumstances, I wish to say that I should have admitted an Amendment of that kind. The hon. Gentleman further asks me what remedy there is. I can only say that I think the remedy would be that when the Bill comes back to this House from the Grand Committee, on Report it would be competent for the hon. Gentleman and those who act with him—or, indeed, for any hon. Gentleman—to move such Amendments as may be thought fit, and, indeed, the hon. Member can move the particular Amendment to Sub-section 2 of Clause 4 to which reference has been made. The hon. Gentleman asks me if the proceedings in Grand Committees are not in lieu of the proceedings in Committee of the

whole House. They are so far in lieu of proceedings in Committee of the whole House that there is no stage of Committee of the Whole House in the case of a Bill which has been referred to a Grand Committee. When the Bill comes up on Report there will be ample opportunity for any Member who considers himself damnified or the cause he has in hand injured in the Grand Committee to move such Amendments as he considers necessary, and then full opportunity will be given him of redressing any grievance under which he may consider himself to labour. I hope the matter will not go further now. It is not, as I have said, one of privilege. At the most, it is one of order, and I think I have answered categorically all the questions which have been put to me.

SIR W. HARCOURT (Derby): I think, Sir, it will be useful to the House if we can have your ruling upon another point. You have stated that the proceedings of the Grand Committee are in lieu of the proceedings of a Committee of the Whole House to this extent—that when a Bill has been referred to a Grand Committee there can be no Committee of the Whole House upon it. Will you also give us your ruling as to whether or not the rules which govern this House when in Committee with reference to Amendments on various points should be, and are, precisely the same rules as those which govern the consideration of Amendments in a Grand Committee?

*MR. SPEAKER: I think it must be obvious to the right hon. Gentleman that the rules which are applicable to proceedings in Committee of the Whole House cannot be altogether applicable to proceedings in a Grand Committee, seeing that there are powers possessed by the Chairman of Committees which could not be exercised by the Chairman of a Grand Committee. In accordance with the Standing Orders of the House, the course of proceeding applicable to a Standing Committee is that which regulates the proceedings of a Select Committee, and as far as the Rules of this House can be applicable, they are applicable to the proceedings of Grand Committees in the way I have indicated.

SIR W. HARCOURT: The material point I wish to raise is whether the rule which governs the admissibility or otherwise of Amendments in Committee of the Whole House is one which should also govern Amendments proposed in a Grand Committee.

*MR. SPEAKER: I think that would be so. As a general rule, the same regulations which would apply to Committees of the Whole House would, in this respect, apply to the Grand Committees.

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH): May I ask you, Sir, in connection with this matter, whether the Chairman of a Standing Committee has not a discretion to refuse to put Amendments which are obviously frivolous, and intended merely to delay the consideration of a Bill?

*MR. SPEAKER: That is a matter upon which I think I ought to decline to express an opinion. The question of discretion is a very difficult one. A very large amount of discretion is necessarily vested in a duly-constituted Chairman selected and appointed by a Committee which enjoys the confidence of the House. I should be sorry to express an opinion that the large discretionary powers entrusted by the House to the Chairman of a Grand Committee can be otherwise than properly exercised.

MR. STOREY: I am very much obliged to you, Sir, for the information you have given to the House, and I have no desire to carry the matter further. There is only one question which I will venture to ask. The position in which we are in is this. The serious and operative clause has already been passed without discussion.

*SIR M. HICKS BEACH: I rise to order. I would ask you, Sir, if the hon. Member has any right to discuss the matter after you have ruled that it is not a question of privilege?

*MR. SPEAKER: I am clearly of opinion that it would be out of order to discuss the matter now. The hon. Member must wait until the Committee have reported.

MR. STOREY: The question I was going to ask has nothing to do with the proceedings of the Committee. I wish to know if it will be competent when the Committee present their Report to move that the Bill be re-committed, so that it may be considered by a Committee of the Whole House?

*Mr. SPEAKER: A Motion would have to be made to suspend the Standing Order.

Mr. STOREY: Then I beg to intimate, under those circumstances, on behalf of myself and the other Members of the Committee with whom I am acting, without exception, that we intend, with the full consent of our leader, to withdraw from the Committee.

ORDERS OF THE DAY.

—o—

TITHE RENT-CHARGE RECOVERY BILL. (No. 272.)

Considered in Committee.

(In the Committee.)

Clause 1.

Amendment proposed, in page 1, line 7, after the words "may be," to insert the words "if he (the tithe owner) has not distrained for the same."—(*Mr. Secretary Matthews.*)

Question proposed, "That those words be there inserted."

Mr. ARTHUR WILLIAMS (Glamorgan, S.): May I venture to ask you, Mr. Courtney, whether we are to understand that by your ruling yesterday, the question of the entire abolition of distraint having been discussed upon an Instruction, it cannot be discussed again?

The CHAIRMAN: In reply to the hon. and learned Gentleman, I wish to say that the ruling I gave last night was that it was out of the power of the Committee to do away with the remedy of distress altogether, but that the Amendment of the Home Secretary gives an alternative remedy—namely, of suing in the County Court.

Mr. ARTHUR WILLIAMS: Then I would venture to submit that if your ruling is correct—[*cries of* "Order!"] Then I must really ask for the ruling of the Chair.

The CHAIRMAN: Order, order! The hon. Gentleman is quite irregular.

Mr. ARTHUR WILLIAMS: I only wish to put the matter in this way. If, in spite of the arguments, Mr. Courtney, which have been placed before you, you still adhere to that ruling that we are debarred from considering the question of doing away with distraint, I am at a loss to see how the present Amendment can be put, because it does, to a certain extent, withdraw the power of restraint.

The CHAIRMAN: I explained this point to the Committee at considerable length last night, and I pointed out that my ruling was supported by what took place in the House itself upon the Instruction. The House entertained a Motion that it should be an Instruction to the Committee to provide in the Bill that tithe rent-charge shall be recoverable against the owner only. If that Instruction had been carried, it would have been in the power of the Committee to make the alteration, but the present Amendment leaves the power of distraint as it now stands, and does not remove it. The process provided by the clause now under discussion is not a process forced on the owner which he is bound to take, but one which is offered as an alternative. In my opinion, the Committee, although they have no power without an Instruction from the House to take away, absolutely, the power of distress, are entitled to provide an alternative upon which the tithe-owner may elect to proceed.

*The ATTORNEY GENERAL (Sir R. Webster, Isle of Wight): I understand that the question which hon. Members desire to discuss is whether or not there shall be an alternative remedy—namely, the remedy by distraint, or the remedy by suing in the County Court. Now, I do not think that that question can be fairly discussed upon the present Amendment. I would therefore suggest that the matter should be deferred till the Committee have considered the more important question of "owner" or "occupier," which will arise a few lines lower down in the clause. I do not think we can usefully discuss the question whether there is to be an alternative remedy, and to what extent it is to go, until we have decided, in the first place, whether the County Court process is to go against the owner or the occupier.

Sir W. HARCOURT (Derby): I understand the ruling of the Chairman to be that we cannot discuss the question at all—that, in point of fact, the result of the course taken by the Government upon the Instruction is, no discussion can take place upon the matter, but that distraint must remain

in full force as it did before, with the addition of an alternative. That is the ruling we have just heard. I bow to it, although, I confess, that I do not understand it.

THE CHAIRMAN: The right hon. Gentleman is labouring under a misapprehension. There is no objection, in point of form, to the discussion of the question to which he refers.

SIR W. HARCOURT: I am glad to hear it. That, however, was the express subject of the Instruction.

THE CHAIRMAN: The object of the Amendment, as I understand it, is to help the Committee by inserting a few words in the clause. Of course, the word "owner," which is to be discussed later, is of the utmost importance.

*SIR R. WEBSTER: It is right that I should say that the Government are disposed to accept the Amendment to substitute the word "owner" for the word "occupier," so as to make the owner primarily liable for the payment of the tithe. The result will be that a good many of the Amendments which have been put down on the Paper for the purpose of altering the Bill so that the remedy may be against the owner, and not against the occupier, will become, of course, unnecessary. The Government will be ready to insert certain other clauses, in order to meet the cases where the tithes are greater than the rent, which have been referred to by so many Members, so that the owner should only be liable to the extent of the rent received. In these circumstances, I would suggest that we should postpone the present Amendment until this alteration can be made.

SIR W. HARCOURT: I have to express my gratification at the announcement of the Attorney General. It shows that the patient and arduous exertions of the Opposition have not been in vain. I will say nothing about the reproaches which have been addressed to me. I will say no more than that, as we are going to have a new Bill, I am very happy to think that none of the Instructions that have been rejected by narrow majorities will stand in the way of reconstituting the Bill altogether in its most material particulars. But I am not sure that the owner is to be substituted in the Bill for the occupier, as the Attorney General has not explained what the new clauses are that will be inserted. A whole scheme will be necessary, and, therefore, I think that the best course would be to postpone the further progress of the Bill. Indeed, I am not sure whether, under these circumstances, before we waste a morning that may be given to more useful work, we ought not to hear something of the new clauses which will bring about so material a change. Therefore, to put myself in order, I will conclude with a Motion, that you, Sir, do report Progress. The Government have already pointed out that the change made in the Bill by putting the onus of the payment of tithes directly upon the occupier is a great and material alteration in the Act of 1836, which declared that the owner should not deal with any person whatever. The action under this Bill *primâ facie* and entirely is against the occupier, although with restrictions as to the manner in which judgment is to be levied, and we think that is an unjust and unfair proceeding. The principle for which we have been contending for so many days is that if an action is to be brought personally against anybody it should not be against the occupier but against the owner. That principle, I am happy to say, has been recognised by the Government, who thus acknowledge that the view we have been maintaining is a right one. The *primâ facie* liability is upon the occupier, and from that point of view, if a judgment is to be levied upon the property of the occupier, the process is a simple one. But if the Government are going to change that and to levy the judgment upon the owner, who is not in possession and has no goods on which judgment can be levied, it is quite plain that an entirely new mode of procedure is to be inaugurated. At present I am in the dark as to the new clauses of the Attorney General. That the tithe charge upon the land should be borne by the owner is obviously fair, and after this announcement on the part of the Government it is only too plain that they are going to make an entire change in the whole system, which represents immense interests and millions of money in this country. Before we postpone so great and material an Amendment like the one before the Committee, the least we can ask of the Government is that the new Tithes Bill,

founded upon new principles, shall appear on the Paper. Therefore, I move, Sir, that you do report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir W. Harcourt.*)

*Mr. C. W. GRAY (Essex, Maldon): The statement we have heard from the Attorney General so materially alters the character of the Bill that I shall at once support the Motion of the right hon. Gentleman to report Progress. At the same time, I may take this opportunity of saying that the proposal to throw the onus of payment upon the landlord is a principle which I entirely approve.

Mr. HUNTER (Aberdeen): We have now arrived at a point in regard to the Bill when I would recommend the Government to consult the learned Lord Advocate, seeing that they have accepted a principle that has been imposed in Scotland for hundreds of years—namely, that the landlords should pay the tithes. The Scotch system is based upon the principle that if the landlord does not pay he has always a representative—namely, the tenant whose rent is due or becoming due, and a simple process of attachment is put in force. There is, consequently, a double security for the tithe owner.

*The FIRST LORD of the TREASURY (Mr. W. H. Smith, Strand, Westminster): I feel obliged to the hon. Gentleman the Member for Aberdeen (Mr. Hunter) for the reference he has made to my right hon. Friend the Lord Advocate. I am sure that the experience which the House has had of the great ability of my right hon. Friend fully justifies the reference of the hon. Gentleman. I acknowledge that it is only reasonable that the Motion which has been made should be conceded by the Government. We shall lose no time in putting those clauses on the Paper which are necessary to give effect to the proposal which has been made by my hon. and learned Friend the Attorney General. Under these circumstances, I trust that the House will now lose no further public time, but will at once proceed to the consideration of the other business standing on the Paper.

*Mr. HOBHOUSE (Somerset, E.): I wish to take this early opportunity, as one of those who have urged the Government to convert the Bill from a bad one into a good one, to express my great gratification at the changed position of affairs. I trust the Government will lose no time in pushing on the Bill in its new shape, and will devote sufficient time to it to make it a good measure.

Mr. LEIGHTON (Shropshire, Oswestry): I have no objection to the alteration which the Government propose to make in the Bill; but when the Government first began the Bill, they announced that they would proceed with it *de die in diem*. I hope that that promise will be kept, and that the right hon. Gentleman (Mr. W. H. Smith) will say whether he is prepared to proceed with the Bill to-morrow.

Mr. BRADLAUGH (Northampton): I think the departure on the part of the Government practically opens out a new Bill for discussion. There is a feeling, not alone on this side of the House, as to whether the opportunity for reporting Progress ought not to be utilised to put off the Bill until next Session.

Mr. T. M. HEALY (Longford, N.): I wish to put a question in reference to the remaining business upon the Paper, because if no satisfactory arrangement is made it will be open for any hon. Member to move, when the Speaker takes the Chair, that the House do now adjourn. We went into Committee on this Bill on the understanding that the Government proposed to take the Bill *de die in diem*; but they have now abandoned that course.

Mr. LLEWELLYN (Somerset, N.): I should like to say how heartily I agree with the remarks of my hon. Friend the Member for East Somerset (Mr. Hobhouse.) This measure has always been viewed by me with but "partial affection," omitting, as it does, that most important provision—namely, that tithe should be paid direct by the landowner to the tithe owner. This I have always contended for, and the clause or power now to be added is, in my opinion, worth the whole Bill put together. No measure will ever be complete, however, that does not provide for the redemption of tithes.

Mr. J. G. TALBOT (Oxford University): The hon. and learned Member for Longford must remember that there are other Members of the House besides Irish Members. The convenience of

Irish Members is a very important matter, and I agree that the Government ought to consult it; but I hope the First Lord of the Treasury will bear in mind that many English Members have given up many engagements, and stayed in the House at great inconvenience to themselves, in order to support the Government in passing this Bill, which they believe to be a necessary Bill. I therefore hope we may be able to get through the Bill without any unreasonable delay.

*MR. STUART RENDEL (Montgomeryshire): I hope the right hon. Gentleman will be able to tell the section of the House most deeply affected by this Bill when it is likely to be taken again; and, further, I hope he will give us an opportunity of considering this entirely new Bill before we come to discuss it.

SIR W. HARCOURT: It is impossible to go on with the Bill to-morrow. The Amendments will not be on the Paper until to-morrow morning, and of course the question is a very grave one. It affects very large interests, and we cannot be expected to pronounce an opinion offhand.

*SIR W. BARTTELOT (Sussex, N.W.): I at once acknowledge that I am very glad the Government propose to make this change. I think, however, that the loyal supporters of the Government have got much to complain of. The Government have put their supporters in a very false position by saying and arguing most strongly that the method proposed in the Bill is the only way the thing can be carried out, and then, without the slightest notice, making a change of front. However good the change may be in itself, that is not a fair way to treat their supporters. For my part I want a complete measure on this subject, dealing especially with redemption. It now appears we are going to have a half-and-half measure in consequence of expressions of opinion from all parts of the House—opinions which, with very little trouble, my right hon. Friend might have learnt long ago. I repeat that that is not fair treatment to the supporters of the Government, and I hope we shall never see it again. The change the Government propose is great, grave, and important, and I hope the clauses inserted will be such as will be fair, reasonable, and just to those concerned.

*SIR R. WEBSTER: I do not think my hon. and gallant Friend was in the House when I stated that the interests to which he referred should be protected. I am to a certain extent personally responsible for not making the announcement earlier; but it seems to me it is not unreasonable that we should put upon the Paper clauses which will protect the landlord, who is to be called upon to pay. One of our clauses will, of course, reserve to the landlord his remedies against the tenants under existing contracts.

SIR W. HARCOURT: I should like to point out to my hon. and gallant Friend (Sir W. Barttelot) that there is another Motion that could be made on this subject—perhaps the most pertinent Motion—on which all the questions he desires to raise could be discussed—namely, that the Order for the Bill be discharged. The Attorney General has said quite truly that he is personally responsible, for he has been arguing with all his legal knowledge and ability that the tithe could not be levied on the owner.

*SIR R. WEBSTER: My speeches are fortunately on record. I never said anything of the kind.

SIR W. HARCOURT: Then, no doubt, the mistake is due to the natural obtuseness which prevails on this side of the House. However, it may perhaps be better that we should report Progress now. When the Bill comes on for consideration again, and we have seen the Amendments of the Government, then, if the Government think it worth while to prolong the Session for the purpose of passing the Bill, hon. Members can consider whether a Motion should not be made to discharge the Order for the Bill, and whether a great measure such as this should not be postponed to a future Session.

MR. A. O'CONNOR (Donegal, E.): I have taken a great deal of interest in this Bill from the commencement, although I have not addressed the House upon it so far. But I desire to express the opinion that this Committee should have, before Progress is reported, some definite statement from the Government as to what their real and ultimate intentions are. When the Bill was introduced it was comparatively simple and

limited in its character. We have had one or two very important modifications of its provisions, and now the Attorney General has made an announcement of very critical importance, of such great importance that he and the First Lord of the Treasury admit it is reasonable the Committee should ask for a suspension of the consideration of the Bill until the situation is thoroughly recognised. The Attorney General has intimated that certain clauses are to be introduced, one with regard to the limitation of the liability of the landlord to the amount of the rent. I would ask him to tell us if he proposes also to limit the liability of the tenant as to the payment of the tithe rent-charge to the amount of the rent payable by him. I think, too, the Government ought to give us some information as to the general course of business.

*Mr. G. O. MORGAN (Denbighshire, E.): I appeal to the Government to consider whether, under the circumstances in which we now find ourselves, it would not be better to drop the Bill altogether. It is now the middle of August, and we are confronted with a new Bill which will require many days to properly discuss. If the Government persevere in their present intention the House will probably be kept sitting until the end of September.

Mr. A. S. HILL (Staffordshire, Kingswinford): A great many of us are afraid that by the present measure the additional power of recovery will increase the capital value of tithes. Will the right hon. Gentleman say whether the Government will be prepared next Session to bring in a Bill so that this measure may not have this effect?

Mr. H. GARDNER (Essex, Saffron Walden): I wish to congratulate the Government on the step they have taken, and also to congratulate the House on the effect of its decisions and deliberations. Then I want to know whether the Government will embody in the new Bill some of the clauses proposed by Lord Salisbury in the Bill of 1887? If the Government are going to transfer payment to the owner, I think they ought to protect him to some extent as well as the occupier. Will the Government insert clauses in the new Bill dealing with the case where there is no rent to pay tithe?

Mr. SEXTON (Belfast, W.): I think the best thing for the Government to do is to inform the House what is to be the course of public business to-day and to-morrow. Is it intended, after having suddenly suspended the consideration of the Irish Votes, as suddenly to take them up again? Do the Government propose to take Supply to-day and the Tithe Bill to-morrow?

*Mr. W. H. SMITH: If the Irish Members object to take the Irish Votes which are on the Paper to-day the Government will not press them. Then it is only reasonable that the Government should not proceed with the Tithe Bill to-morrow. We hope to put down on the Paper to-morrow the Amendments which are to be proposed, and I hope it will be possible to proceed with the Bill on Friday. Arrangements will be made, as far as possible, to meet the views of hon. Members who desire to consider the Estimates, and in making the arrangements last week for the consideration of the Irish Estimates the Government had entertained the hope that four days would have been sufficient for their consideration. I admit that the hope was an illusory one, but such was the expectation last week. In the course of the afternoon I will endeavour to come to an arrangement for the convenience of hon. Members as to the business for to-morrow, and I will state at the close of the Sitting what the business will be. In making the changes proposed we have endeavoured to meet what we believe to be the general desire of both sides of the House, but circumstances have rendered it unavoidable that these changes should be announced without much notice to the House. I appeal to hon. Members to give fair consideration to the proposals made by the Government, because they will be framed in such a manner as will meet all the objections against the measure, and conciliate the support of those hon. Gentlemen who sit behind the Government and all those who desire to see such a measure connected with tithe carried. In these circumstances, I ask the Committee to consent to report Progress.

Mr. A. S. HILL: What is to be done as to future legislation?

*Mr. W. H. SMITH: I think it is quite enough for the Government to deal with the business they have in hand at present.

MR. MURPHY (Dublin, St. Patrick's): When are we to understand the Irish Estimates will be taken?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Government are anxious to consult hon. Members from Ireland as to the order in which the Estimates should be taken. I understand that the Irish Members wish to take the Vote for the Land Commission first, and after that to take the Votes in their natural order—that is to say, the Lord Lieutenant's Vote and the Chief Secretary's Vote and so on.

MR. THOMAS ELLIS (Merionethshire): Do the Government intend to take to-day the Interpretation Bill and the Technical Instruction Bill? With regard to the Interpretation Bill, I must offer the strongest opposition to one of the clauses; and with respect to the Technical Education Bill, I understand many hon. Members on this side of the House have objections either to the Bill itself or to certain clauses.

*MR. W. H. SMITH: The first-named Bill is important, and I think the hon. Member stands alone in his objection to any portion of that measure. It is not generally opposed in any part of the House. Strong representations have been made to me by hon. Friends of the hon. Gentleman regarding the Technical Instruction Bill, and pointing out that it should be passed this Session. I am anxious that an opportunity should be afforded for the consideration of the Bill; but if the measure is strongly objected to the Government, of course, must give way.

Question put, and agreed to.

Committee report Progress; to sit again upon Friday.

COINAGE (LIGHT GOLD) BILL.

(No. 321.)

Considered in Committee.

(In the Committee.)

New Clause (Defacing gold coin under weight not to be obligatory).—(*Mr. Montagu.*)

Question again proposed, "That the Clause be read a second time."

THE CHAIRMAN called on Sir R. Fowler.

MR. A. O'CONNOR (Donegal, E.): On a point of order, Sir, I beg to remind you that I was in possession last night at 12 o'clock when the discussion closed.

THE CHAIRMAN: There is no right to resume Debate on that account.

*SIR R. FOWLER (London): I merely wish, in relation to this clause, to call the attention of the Chancellor of the Exchequer to the very bad state in which a great deal of the gold coinage in circulation is at the present time. The right hon. Gentleman is, no doubt, quite aware of this, and I will only mention it as a question of some gravity, to which I hope during the Recess the right hon. Gentleman will be able to give attention, and that he will see his way to deal with the subject next Session.

SIR W. HARCOURT (Derby): I understand that last night the Chancellor of the Exchequer objected to the insertion of this clause, and I confess I think his objection was well founded, for the clause would destroy altogether such security as we have against the circulation of depreciated gold coins and damaged gold coins, which certainly it is very necessary to maintain. There is no doubt the condition of the coinage of the country has fallen into a state not creditable to the greatest commercial country in the world. Everybody must admit that. For a short time when I was at the Exchequer I had to consider the subject, and I certainly thought it required immediate attention. The estimate made at that time of the sum that would be required to put the gold coinage in a proper condition was between £600,000 and £700,000, and no doubt the three years that have since elapsed have still further deteriorated the coins and they are in a worse condition, so that the sum required is still larger. It is not creditable to England which has a gold currency—and I am very glad we have—that we should have this gold currency depreciated to the amount of half a million sterling. Our gold coinage has been for a long time the basis of the monetary system of, I may say, the whole world, and I think one of the first duties of the Government should be to put that coinage into a proper condition. I am very glad that the Chancellor of the Exchequer has begun this duty, though in a tentative and experimental way, for, of course, it is only with a small part of

the question that this Bill deals. I am glad of it, for many reasons, but particularly because it indicates that the Chancellor of the Exchequer still intends that we shall keep gold as the basis of the currency of the country, and that he has not adopted any new-fangled ideas of bi-metallism, which would certainly have the effect of driving gold from the country, and all the money spent on the restoration of the gold coinage would be so much wasted expenditure. This Bill can only be justified on the assumption that the Chancellor of the Exchequer means to maintain gold as the basis of our currency. Of course, the first question the Chancellor of the Exchequer has to consider is, who is to bear the cost of restoring the gold coinage of the country?

THE CHAIRMAN: I am sorry to interrupt the right hon. Gentleman; but he is not speaking to the clause before the Committee.

SIR W. HARCOURT: I would ask indulgence at this time of the Session, otherwise I must move the postponement of the Bill, in order that I may have more latitude in discussion. The Chancellor of the Exchequer is well aware that I have forwarded the progress of this Bill, and I understood that I should have the opportunity of making a statement on this subject; but, unfortunately, there seem to be so many restrictions surrounding us now, that I scarcely know how it is possible to express an opinion on this or any other subject.

THE CHAIRMAN: The right hon. Gentleman is aware that the opportunity for a general statement is on the Second Reading, and it arises again on the Third Reading; but a general statement cannot be made on the question of inserting a particular clause.

SIR W. HARCOURT: It is useless to talk of discussion upon the Third Reading, because, at this period of the Session that stage is an idle form. I should have thought that one might have been allowed to make some observations on this clause; but if that is not so, I can only regret that a Bill which is certainly of very considerable importance should be passed without discussion in the House of Commons.

MR. A. O'CONNOR: I regret that at this stage it is not competent for the right hon. Gentleman to pursue this interesting topic, but probably he will find the opportunity to do so on the consideration of the Report. In regard to the clause which it is proposed to add, I desire to urge upon the Chancellor of the Exchequer the very reasonable character of the proposal embodied in it. At present the law in regard to light gold coins is of a very extraordinary character. Anyone being tendered a gold coin below a certain standard of weight is bound there and then, being provided—and the law contemplates that he shall be provided—with a pair of scales, to take out the scales and weigh the coin.

SIR W. HARCOURT: Sir, I rise to order. This is the very argument I was trying to pursue on this clause. It was upon the liability to replace light gold coins that I was speaking, and I thought it was most material in reference to this clause which proposes that no person shall have imposed upon him the liability to destroy a light gold coin, as is the law now; I had agreed that the Chancellor of the Exchequer was right in opposing the clause, and was about to refer to what had been done in former times when you, Sir, stopped me. I was speaking on this clause, as I thought, in the most legitimate way.

THE CHAIRMAN: I am sorry if I misunderstood the right hon. Gentleman, and interrupted him in the discussion of the clause. I confess I was greatly deceived, for I thought he was entering upon a wider discussion embracing such questions as bi-metallism, the maintenance of a gold currency and the cost of restoring the gold coinage. If he was discussing the clause, which I confess I thought he was not, he has a perfect right to continue to do so.

SIR W. HARCOURT: I had made a parenthetical remark upon bi-metallism and had passed away from that and was discussing the question of who was to pay for the replacing of light gold, and at the moment you stopped me, Sir, I was about to refer to the policy of Sir Robert Peel, and what had been done in previous periods.

THE CHAIRMAN: To discuss the point is scarcely relevant, for I have invited the right hon. Gentleman to proceed.

MR. A. O'CONNOR: I was observing upon the conditions imposed by the existing law whereby any person being

tendered a piece of light gold is then and there required to weigh, cut, break or deface it. That is an obligation thrown upon every member of the community, which I will venture to say in 999 cases out of a 1,000 it is perfectly impossible to discharge. It is an obligation the discharge of which is attended with considerable risk; in point of fact, it is an obligation impossible to discharge. But see the absurd position in which the Government may be placed under the existing law. If I cash at a post office an order for £1 and receive the money from an agent of the Government, I am not only entitled, but I am bound to examine the money, and if it is light, as it very often is, I am required to deface the coin. Suppose, therefore, an individual goes to a post office and defaces, in accordance with the directions of the Statute, the money which the Government hand him in discharge of their fiscal obligation, what is the position of the Government? They will be bound to replace at their own expense this coin so defaced, unless, indeed, they prefer to make the unfortuate postmaster responsible for the money he is using on their account, they not having supplied him with money of standard weight. The whole position is perfectly unreasonable, and may be made by those who choose to indulge in this kind of freak perfectly ridiculous. The Post Office would be placed in a very inconsistent and embarrassing position if this, which is open to any member of the community, were actually done. What can be the use of perpetuating this clause of the Act of 1870? There is no practical benefit arising from it, and, under the circumstances, I think the Amendment of the hon. Gentleman, whom I am sorry not to see in his place, is one that ought to commend itself to the Government.

*MR. BARING (London): I only want to point out one thing. I am quite aware that the law is as the hon. Member for Donegal has stated it, and that the obligation lies upon all persons, but, as a matter of fact, it is attended to by no one except the Bank of England. Now, if this clause is passed, the Bank of England will be morally prevented from doing what it now does to keep the currency of the country in as good a state as by this means is possible. If we pass this clause the Bank of England will be bound to return light gold to its depositors instead of making it unfit for circulation, and thus to assist in the circulation of light gold, and I do not think that is desirable.

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The hon. Member behind me has in a very few words stated the main objection to the clause moved by the hon. Member opposite. I admit there are such imperfections in the law that it has broken down to a great extent; but still there remains the security that the Bank of England does watch over the gold circulation, and does not allow light gold to get into circulation. As we are dealing with only a small part of the question it would not be wise to repeal the existing safeguards against the circulation of light gold. The right hon. Member for Derby shares the view that the present protection ought to be maintained. Large sums might in light sovereigns be sent from abroad, and might pass into circulation; but these are now clipped when received, and so their passing into circulation is stopped. The removal of the existing protection would increase the amount of light gold current in the country, and thus aggravate the evil which we are now attempting to deal with. Therefore I cannot accept the clause now proposed. No doubt the three years that have passed since the estimate was made of the loss from gold coinage have aggravated the evil, and have caused it to be somewhat greater than it was calculated to be at that time. I should be glad if it were possible to put down the Third Reading of the Bill at a time when the right hon. Member for Derby could speak on the interesting subject of the coinage; but in the present state of business I cannot pledge myself to any such arrangement, although I gladly acknowledge the assistance I have received from the right hon. Gentleman, and should be happy if I could return his courtesy by affording him a fuller opportunity of discussion than is afforded by this clause.

MR. A. O'CONNOR: What about the position of the Post Office?

*SIR R. FOWLER: May I suggest that if the Bill were set down as the first order to be taken after midnight it would give the right hon. Gentle-

man the opportunity for making that interesting speech, to which I am sure we should be glad to listen.

SIR W. HARCOURT: I have no desire to make an interesting speech; what I want to do is to discuss the clause, and that has been my object from the first. This clause, as I understand, is directed to the question of relieving the holders of light gold from liability in respect to its being below standard weight, and on that I was desirous of making some observations, and will endeavour to do so, and if I have the misfortune to be out of order I will sit down again. Under the present law the last holder is responsible for the lightness of a sovereign. I can remember the extreme inconvenience people sustained when Sir R. Peel put the coinage in order more than 40 years ago, and when shopkeepers kept scales, weighed sovereigns, and charged customers 6d. or 8d. for depreciation. It is not possible to return to a system like that now. Even under the pressure of the American War, when Lord North replaced the coinage, the State bore the cost, not the last holder, and that was also done in the time of William III., when Sir Isaac Newton was Master of the Mint. The cost now will not be much larger than it was in the time of Lord North. This Bill adopts the principle that the State is to bear the cost of replacing the coin. This clause proposes to discharge everybody, including the Bank of England, from liability in respect of light coin. When light gold comes to the Bank of England it is clipped and taken out of circulation. The coinage would not have been in its present condition if the Bank of England had discharged that duty better and more extensively. When I was at the Exchequer I found the Government itself issuing light sovereigns—a most improper proceeding. That is to say light coins were paid into the Post Office, the Customs, and the Inland Revenue in large quantities, and of course the first duty of the Government is to obey the Act, and either to pay the light gold into the Bank of England or see that it is not repaid by the Government. I gave stringent orders that no Government Department should re-issue any light gold. The difficulty in the provinces is that in many great towns there are no branches of the Bank of England, and therefore money received by the Post Offices and other public departments is paid into private banks, which re-issue the light gold. The country bankers keep all the best sovereigns and send them to the Bank of England, and the light sovereigns they pay to the public. That is one of the reasons why the coinage has got into such a bad state, and this clause would make it worse by relieving the Bank of England from any obligation whatever in this respect. The hon. Member opposite (Mr. Baring), who upon this subject speaks with some authority, will allow me to observe that I think the Bank of England, in reference to the coinage as well as to other matters, ought to render more service to the public in having more branches in the country. There is no other country in which national banks do not offer greater facilities by means of branches than the Bank of England does in this; and it ought to do more in return for the remuneration it receives from the State and the advantages it enjoys under its charter. All Governments in succession have been responsible for the coinage being in its present condition, as it is more than 40 years since anything has been done to replace light coins. The life of a coin may be said to be 20 years, and after that it begins to be light to a slight extent, so that the Chancellor of the Exchequer is not too soon in beginning to do something. But, after all, the coinage of 50 years ago being dealt with, there will remain coinage since then in almost as bad a condition. I was about to ask the Chancellor of the Exchequer out of what fund he proposes to meet the cost or what he proposes to do, and perhaps I may be allowed to say this—The Chancellor of the Exchequer has at his disposal a considerable fund, derived from the profit he at present obtains upon silver and upon copper, and amounting now to about £130,000, and out of that he could perfectly well keep the gold coinage in good order. It is a great windfall to have got this great surplus at the Mint. There is another thing not altogether alien to this question. Everybody knows that the coinage of England, from its high standard and universal currency, is sought for all over the world; but it is sought for not only as coinage but as bullion. People are glad to get English sovereigns which

carry assurance of their value, and send them to be melted for bullion abroad, so that, in point of fact, we are assaying bullion for foreign merchants. I shall be glad of the Chancellor of the Exchequer will bear this in mind when he is considering the whole question, and consider if any further security can be taken that the English Mint shall not be employed in assaying for foreign countries for melting purposes. It is obvious that there is a great loss on the coinage by this means. While I concur with the Chancellor of the Exchequer in opposing this clause, I agree with others that the responsibility for the lightness of coins ought not to be put upon the last holder; but as this is only a temporary measure, it is not expedient to discharge everybody from the liability of endeavouring to protect the coinage. I hope the Chancellor of the Exchequer will take these larger matters into consideration, and, when he is able to place the gold coinage in a sound condition, that he will take every precaution against its ever falling again into its present condition, and to prevent its being used illegitimately by being melted into bullion as soon as coined.

*MR. GOSCHEN: Perhaps I may say in reply to the right hon. Gentleman that I am quite favourable to taking these larger questions into consideration. But it would be premature to lay before the House the plans of the Government before I have reduced them into proper form. I fully admit the importance of dealing with the question to which the right hon. Gentleman has called attention with regard to the taking of gold coins from this country, but, perhaps, exaggerated ideas of the loss sustained will be avoided if I say that the total annual cost of the coinage of gold is not much more than £2,000 a year. We ought not to lose sight of the advantages we gain by the high standard and the universal currency of our sovereign. Next Session I hope to introduce a measure dealing with the incidence of the loss on light coins.

MR. A. O'CONNOR: I am sorry the right hon. Gentleman has not referred to the issue of light coins by the Post Office. The Customs no longer receive light gold as they did some years ago, but the Post Office Authorities still issue light gold in direct contravention of the Statute.

*MR. GOSCHEN: I do not propose to make any change in the law; but the hon. Gentleman, as I understand, calls on me to make a change in the practice. His proposal, as it seems to me, would make it necessary that the Post Offices generally should clip the coins, and I am bound to say I think it would give rise to a good deal of complaint to introduce that practice just upon the eve of our dealing with the whole question. I think it would cause considerable dissatisfaction, and I doubt whether the advantage that would arise from the adoption of that practice for six months would be equal to the public inconvenience it would cause. Of course it would be necessary to supply the post offices with the necessary plant, and to instruct the officials as to how to use it, and I am doubtful whether the cost of doing so would not equal the saving that might arise from taking of the light gold out of circulation at the expense of the holders.

SIR W. HARCOURT: I do not think the Chancellor of the Exchequer altogether appreciated the point of my hon. Friend's remarks. It is not thought necessary that the Post Office should clip the sovereigns and charge the last holder for it, but that when the Post Office receives light gold it should pay it into the Bank of England, and allow the Bank of England to charge the Department with the loss. It it were paid into the Bank it would not be re-issued. I understand that the practice of the Post Office is to pay it into local banks. If that course is followed, of course the local banks re-issue it. The objection that has always been urged against my proposal is that there are no branches of the Bank of England into which the Post Offices can pay the money. I am quite opposed to the Post Offices having scales and marking the gold when received. I do not think the public would stand such an inconvenience as that. I do think, however, it is an evil that any public department should be the means of re-circulating light gold.

*MR. GOSCHEN: I appreciate the point put by the hon. Member and emphasised by the right hon. Gentleman. If the law were revised now it would doubtless be the duty of the Government to deal with this matter. I certainly think it would be unwise to enforce the law strictly with regard to clipping coin,

but I will once more with pleasure look into the question of the responsibility of Post Offices for the re-issue of light coin. I will see what regulations can be made on the subject. It may be difficult to carry out the suggested practice in the smaller Post Offices; but, at any rate, I will take the matter into my consideration.

MR. A. O'CONNOR: The point I wish to bring out is, that the last holder when he takes his money to the Bank of England is penalised to the extent of the loss of weight, but he might protect himself if he followed the provisions of the existing law. The Post Office Authorities are breaking the law, because they do not avail themselves of that same provision, and they are still saddling this charge on the unfortunate private holder.

Question put, and negatived.

Several verbal Amendments agreed to.

Bill reported; as amended, to be considered to-morrow.

INTERPRETATION BILL. [*Lords*] (No. 364.)

Order read, for resuming Adjourned Debate on Question [9th August], "That the Bill be now read a second time."

Question again proposed.

Debate resumed.

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): In asking the House to read this Bill a second time, I wish to say that it is a measure which has been received with almost universal approval. It has been introduced in order to make it clear, without putting in technical clauses, that Acts of Parliament should have a certain meaning. An hon. Gentleman opposite has objected, with regard to future Acts, to the word "England" including "Wales." Of course I cannot myself express much sympathy with his view, but if the hon. Member will kindly put down such Amendments as he thinks necessary to carry out his meaning, I will endeavour to see whether the operation of the Act can be made entirely retrospective. Subject to this, I hope the House will consent to the Second Reading, the Bill being one which I am very desirous of seeing passed.

MR. T. ELLIS: I am glad the hon. and learned Member has made this concession. The President of the Local Government Board (Mr. Ritchie) last year said he had no objection to a similar proposal, and it was inserted in the Local Government Act of last year. I desire to say that unless the Amendment be inserted in this Bill, I shall oppose it on its future stages.

MR. DILLWYN (Swansea, Town): I quite sympathise with the suggestion of my hon. Friend, and I am sorry to hear the Attorney General say he does not sympathise with the national feeling of Wales on this subject. There is a strong feeling that Wales is more distinct from England than probably any other parts of the United Kingdom.

*MR. HOBHOUSE (Somerset, E.): I hope that, if this point affecting the national feeling of Wales can be satisfactorily settled, no further opposition will be offered to this Bill. It is a most valuable measure, calculated not only to save the time and trouble of Members of this House, but also the public time and money by reducing the bulk of our voluminous Statute Book.

*MR. S. RENDEL: I desire to confirm what has fallen from my hon. colleagues, and to assure the Government that there is a very widespread feeling on this matter in Wales. If that feeling is not satisfied it will be our painful duty to make our voices heard on the subject.

Question put, and agreed to.

Bill read a second time, and committed for Friday.

ARBITRATION BILL [*LORDS.*] (No. 267.)

Order read, for resuming Adjourned Debate on Question [5th August], "That the Bill be now read the third time."

Question put, and agreed to (Queen's Consent signified).

Bill read the third time, and passe with an Amendment.

TECHNICAL INSTRUCTION BILL. (No. 350.)

Order read, for resuming Adjourned Debate on Question [9th August], "That the Bill be now read a second time."

Question again proposed.

Debate resumed.

*MR. W. H. SMITH: I hope that the House will consent to the Bill being now read a second time. There is, I think, a general desire to see it pass into law.

*MR. M'LAREN (Cheshire, Crewe): I should like to ask a question as to the interpretation of this Bill and as to its scope. It is a Bill of which I cordially approve, and I rejoice that the Government are making up their minds to pass it. I wish to know, however, whether it will be competent under it for the Local Authorities to make grants for the purposes of dairy and agricultural education? The whole tenour of the Bill deals with the Science and Art Department. I believe that the £5,000 which the House voted last year for agricultural education was placed in the hands of the Agricultural Department of the Privy Council, and I fear very much that, unless a very wide interpretation is given to the 5th section of this Bill, we shall find ourselves tied up to those classes of instruction which are under the Department of Science and Art. The Government have now for the first time adopted the principle of giving grants to agricultural education, but there is no reason, I think, why Local Authorities should not be allowed to vote money out of the rates, with the full consent of the ratepayers, for the support of agricultural education. Dairy schools are springing up in a satisfactory and even a surprising manner, and the £5,000 voted last year for agricultural education has been largely expended; but, in my opinion, it would be far more satisfactory if Local Authorities were distinctly allowed to support schools, giving the technical instruction they desire. To take my own county, I do not know why the Cheshire County Council should not be allowed to support agricultural and dairy education throughout the county, as much as other technical education for the mechanics of Crewe or the chemical workers of Northwich. The matter could be dealt with in Committee, but we are anxious that the Bill should get through Committee after 12 o'clock at night, so that we wish all contested points cleared away. If there are any differences they should be disposed of now, when the Bill cannot be stopped by a formal objection. I would ask the right hon. Gentleman the Vice President of the Council to say whether it would be possible to extend this education to agricultural subjects within the terms of the Bill as they at present stand, or, if not, whether he would allow me to insert some words to provide that agriculture shall be included within the scope of the measure. All that would be necessary would be to add after the Department of Science and Art the words "and Board of Agriculture," or whatever the exact designation of the new Department may be. If the right hon. hon. Gentleman would agree to that, it would be largely availed of and would prove an immense boon to the agricultural community of the country. There is a growing feeling on the part of the farmers, and country people generally, that we ought to do something to improve our knowledge of agriculture and dairy produce. We spend a fabulously large amount in this country in buying foreign dairy produce, and most of that money might be retained at home if dairy technical instruction were properly developed. There is an indefinite and almost infinite amount of dairy produce required in this country. I cannot help expressing regret that the School Boards are not to be one of the Local Authorities to take this matter in hand. They would be, it seems to me, a much better authority than that proposed where they exist. Where they do not exist, I should be willing to try any other authority. I know that that is a point upon which the Government will not give way; therefore I hope the matter will not be pressed. We must make the best of it, and trust that, at some future time, the Act may be extended to School Boards, and made wider in its application.

*THE VICE PRESIDENT OF THE COUNCIL FOR EDUCATION (Sir W. HART DYKE, Kent, Dartford): By the leave of the House I would explain this point. The difficulty in the hon. Member's mind no doubt arises from the ancient difficulty of drawing up any exact definition of technical instruction. The Definition Clause first mentions the different species of instruction already sanctioned by the Science and Art Department to which grants are given, and then come the words "or any other form of instruction which may for the

time being be sanctioned by the Department." I presume that the point to which the hon. Member refers will be favourably received by the Department when a demand is made for the recognition of that particular form of instruction. As I understand, the fact of the Government having given a grant already in favour of dairy farming will not prevent such instruction being extended under the Bill.

MR. MATHER (Lancashire, S. E. Gorton): In rising to support the Bill as it is to be amended, I desire to say that in its present form it could not have been acceptable to this side of the House. I am happy to say, however, that the Government have accepted Amendments which will touch the point raised by the Member for Crewe, and will in no way interfere with the present functions performed by School Board districts, while at the same time they will enable the Bill to be of the greatest use in country districts where no School Board Authority exists. I feel that it is important that we should at this period of the Session come to an unanimous decision to pass the Second Reading of the Bill to-day, in order that we may at the earliest time make a commencement in that new departure in practical education, which is so necessary for the welfare of the country. I deplore, as most of my friends deplore the fact that the Bill of the hon. Member for South Manchester was not accepted by the House. It was a Bill comprehensive in its scope and wide enough to take in all questions of manual and technical instruction, from education in infant schools to higher and secondary education. But, of course, it is difficult in a Bill of that kind, raising contentious points, to get the House generally to agree to it, particularly at a late period of the Session. The Government, as I understand, have now introduced a Bill which eliminates for the time being the questions of denominational and School Board education, and which starts from the point at which science and art teaching and technical instruction may be undertaken by Local Authorities, constituting themselves authorities for the purpose, or by School Boards, or, failing the one or the other, by Local Authorities under a rate of 1d. in the £1. I can assure the House that if the Bill passes with the Amendments which have been suggested to the Government, it will become at once a very great boon to our industrial and manufacturing districts, and also to those districts which the Member for Crewe represents. I have taken it for granted from the first that schools necessary to promote the interests of the agricultural classes are included in this Bill. Some of my friends consider that the Bill constitutes another educational authority in large towns and School Board districts. If I thought so, it would be impossible for me to support the Bill; but the Government have undertaken that Amendments shall be put into it providing that where School Boards exist, and are now exercising such authority as is necessary to promote technical education, they shall have the power to demand from the Local Authority such means as they may require, in order to promote the well-being of their schools. The School Boards of our large towns have already undertaken very important work in that direction, and the Science and Art Department receive now a grant in aid for the work they do in connection with the higher branches of technical instruction. But there is a want of funds, and the fees are so high that the working classes cannot avail themselves as much as is desirable of the benefits which such schools are capable of supplying. Instead of there being some hundreds of children of from 14 to 17 years of age attending the night schools, and also the schools that the School Boards have established for technical instruction, very few boys from the elementary schools are able to attend, consequently very little good is done. But there will be an opportunity of extending this work into other branches of education. There will be laboratories and manual training, and the technical training of various kinds will be adapted to the wants of the different districts. Under these circumstances we can all appreciate the enormous advantages that will accrue to the industrial classes from the passage of this Bill during the present Sesssion. I fully sympathise with the desire of the right hon. Gentleman the Vice President of the Council that this Bill should be read a second time to-day without any undue discussion. I sincerely trust that we may this afternoon be enabled to obtain an expression of opinion both from those who

support the Bill and from those who are in doubt with regard to the Amendment which, we are told, will be accepted, in order that the House may hereafter have an opportunity of making the measure one that will be satisfactory not only to the friends of education generally, but to the country at large.

MR. ROWLANDS (Finsbury, E.): There are some of us on this side of the House who are in a difficulty with regard to this measure. As the hon. Gentleman who has just spoken admits, it is not so perfect as to enable him to give it his full support in its present form, although he says he is prepared to vote for the Second Reading, because in private conferences he has had with the heads of the Educational Department they promised to insert Amendments which, in his opinion, will render the Measure acceptable to the House.

MR. MATHER: Allow me to say there were no private conferences at all. What has taken place has been the result of long negotiations with hon. Members on this side of the House who have for many years been connected with the movement in favour of technical education, who have been Members of the Royal Commission on Technical Education, and who have had this question much more at heart than many hon. Gentlemen on the opposite Benches.

MR. ROWLANDS: I was not a member of the Royal Commission on Technical Education, but at the same time I may say that I have made myself conversant with the needs of the working classes on this subject, and, having passed through the workshop myself, I think I have some knowledge of what is required. We have at the present time a grand school in the Technical Institute, and I have taken an active part in that work. The mistake which has been made is that a certain number of Gentlemen constitute themselves the guardians of technical instruction, and act by themselves, whereas they might have taken us into their confidence and allowed us to have something to say on the subject. Well, the hon. Gentleman (Mr. Mather) tells us he has arrived at some conclusion in consultation with his friends that will tend to make the Bill complete, and I think that before we read it a second time—I do not suggest that we should be responsible for throwing it out, because technical instruction is a very important matter—we ought to have some indication as to the way in which it is proposed to amend the measure. We have, however, learnt that it is intended to put the Educational Authorities throughout the country in what is said to be their proper place, by sweeping away those that have existed since 1870, and placing in their stead Local Authorities, who at present have nothing to do with education. This, to me, is a most surprising proposition, and one that renders the Bill thoroughly objectionable. If, however, the Amendments that are to be accepted will have the effect of putting the Local Authorities of the great towns in their proper position, I should be glad to accede to them; but we ought at least to know how far this result will be achieved. It would be a good thing if the right hon. Gentleman would state to the House before the Bill is read a second time what are the Amendments the Government are prepared to accept.

*MR. H. STEWART (Spalding): I would point out that we are now discussing an Amended Bill that has been altered in order to meet the wishes of many hon. Members, but I may say, for myself, that I have been no party to what has been arranged, and therefore do not feel myself bound by it. I would remind the House that we are now entirely re-opening the question as settled by the Education Act of 1870. I desire to see whatever powers may be granted by this Bill placed under the control of educational authorities elected by the people. We are simply anxious to continue the development of the educational work commenced in 1870, and we want to see an efficient control given to the elected educational authorities of the towns and districts in which the education is to be given. If this be the spirit of the Amendment conceded by the right hon. Gentleman, it will, I think, not only commend itself to the House; but to all who feel the slightest interest in this important matter.

VISCOUNT CRANBORNE (Derwent): I congratulate the Government and the House on the manner in which this Bill has been received. The Government have indicated that they are prepared to accept Amendments which hon. Members opposite are desirous of inserting in the Bill, and I think there is reason to hope that there will be no

real difficulty in coming to an amicable adjustment, but at the same time I think it only right to say that we on these Benches cannot absolutely commit ourselves to the acceptance of any Amendments which we have not had the opportunity of seeing and considering.

MR. BROADHURST (Nottingham, W.): I think, Sir, that this is a Bill which ought to have been introduced at the commencement of the Session, and that it should not have been left over until we have arrived at the fag-end of our business, so that we find ourselves in the very awkward position that we must either accept the measure without Debate or do without it altogether. I was quite willing to give my hon. Friend the Member for Gorton credit for having arranged a satisfactory compromise with the Government; but I noticed at the time this was alluded to that there was an expression of dissent from the right hon. Gentleman in charge of the Bill. Moreover, the noble Lord opposite, who is a prominent and leading supporter of Her Majesty's Government, has risen in his place and stated that hon. Members on that side of the House cannot commit themselves to the Amendments referred to, because they have not seen them—or, at any rate, have not had sufficient time to consider them. Well, Sir, I ask, are we to read this Bill a second time to-day on the assurance of my hon. Friend the Member for Gorton, and after that are the Government or their friends to be at liberty to repudiate these Amendments, or so to modify or cut them down that they will not accomplish the object desired? This is a very important consideration; and the Government have brought all this criticism on themselves by the confused manner in which they have proceeded with their work. One point of objection on our part is that the Bill creates two or three separate authorities to whom the educational work it will promote is to be confided. Now, the kind of education we are discussing is most important to the interests of this country, and yet it is proposed to place it in the hands of Local Authorities, some of whom are described as the Rural Sanitary Authorities within the meaning of the Public Health Act. We may accept the assurances of my hon. Friend as far as they go; but we ought to be doubly assured that this important question of technical education is not to be left in the hands of an Urban or Rural Authority who will divide their attention between drainage works and technical education. It is absurd to think we can accept the Bill without some definite assurance from the Government that they will agree to the Amendments of my hon. Friend. I am disposed to accept his assurance, because I know the good and kindly labour he has expended on this work; but I say that I and others have also expended time and labour upon it. Like my hon. Friend the Member for Finsbury (Mr. Rowlands), I have felt the want of technical instruction, and, although we have not had time to deal with the matter in the manner we should have desired, we are aware of the practical necessities requiring to be met, and, consequently, we have been agitating for legislation on the subject for many years. What we want is a good, thorough, honest, and comprehensive measure, to be placed, as far as possible, in the hands of educational, and not drainage, authorities. I recognise the importance of the point raised by the hon. Gentleman the Member for Crewe (Mr. M'Laren), who, if he looks at Clause 5—the Definition Clause—will see that the agricultural authorities in every part of the country have only to make a representation to the Central Authority in order to obtain the fullest and most complete powers for providing instruction in butter or cheese making, or in any other agricultural industry. The right hon. Gentleman in charge of the Bill has acted wisely in providing that it shall not include the teaching or practice of every trade, industry, or employment, and here he will see that I have something to say in praise of the Bill as well as in criticism of the Government policy with regard to it. Had the right hon. Gentleman not inserted this proviso, he would have had the whole of the skilled trades at him. I should have opposed the Second Reading of the Bill, but for the assurance of the hon. Member for Gorton that all reasonable protection will be given to the constituted educational authorities, and I hope the right hon. Gentleman opposite will say what are the proposals he intends to accept.

MR. W. H. SMITH: I am exceedingly anxious that there should be a

perfect understanding on this question. We have accepted the Amendment of the hon. Member for Gorton in perfect good faith, and that hon. Member is perfectly aware of the fact that the Government are desirous of giving expression to his wishes. If the Amendment is not accepted in perfect good faith, the Bill will be dropped. We intend to ask the House to accept the Bill, and have no intention of departing from the arrangement which has been entered into. I hope I have satisfied the House on this point. With regard to the details of the Amendments we are willing to accept, the proper time for discussing them will be when we have the clauses before us in the Committee stage, and if they are not found to be satisfactory to the House, it will be for the House to say so. I trust that, under these circumstances, the House will now be prepared to read the Bill a second time.

MR. H. COSSHAM (Bristol, E.): As one who is intensely anxious to see a good system of technical education established, I desire to say a few words. The promotion of this kind of education has been one of the labours of my life. I do not know what are the Amendments my hon. Friend wishes to introduce, and it may be that they will remove my objections to the Bill; but as it now stands the measure is one which I cannot accept. I hold in my hand a letter from one of the most distinguished educational authorities in the country, Mr. Lyulph Stanley, and he says the Bill is a bad Bill, and gives his reasons for so saying. The difficulty in which we are placed at the present moment is that we do not know what Amendments are to be put into the Bill. The noble Lord opposite says he cannot accept Amendments he has not seen, and we, on this side, say we want to know what the Amendments are to be. I shall not, however, oppose the Second Reading of the Bill; but in agreeing to the Motion I accept it on the personal authority of my hon. Friend, who assures me that it will remove the difficulty which exists in many of our minds.

*MR. H. J. WILSON (York, W.R., Holmfirth): The statement we have heard as to the Amendments to be accepted by Her Majesty's Government considerably modifies the objections we should otherwise entertain to the Bill; but until we more thoroughly understand what the Amendments are, we cannot be sure that they will entirely remove those objections. I rise mainly in order to express a hope that, when the Bill gets into Committee, we shall have a fuller opportunity of thoroughly understanding how far the Government are prepared to meet us. As far as I can understand them, the intended Amendments will modify but not altogether remove our objections to the Bill, In regard to what has been pointed out by the hon. Gentleman the Member for Nottingham (Mr. Broadhurst), with regard to entrusting the control of technical education to the Rural Sanitary Authorities, I entirely agree with him. It seems a most extraordinary idea to give Boards of Guardians the charge of Technical Education. I hope we shall hereafter have ample opportunity of going into the whole question and of stating at length our objection to the School Board being ousted as the educational authority. I want to know why the School Board should not be made the educational authority; and, if we cannot ensure that, I should like to know why the School Board should not be represented on the Body which is to deal with the matter. In some way or other I think we ought to secure that.

Question put, and agreed to.

Bill read a second time, and committed for Friday.

SUPPLY—CIVIL SERVICE ESTIMATES.

Considered in Committee.

(In the Committee.)

CLASS IV.

Motion made, and Question proposed,

"That a sum, not exceeding £285,376, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1890, for Public Education in Scotland."

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): It is now my duty, as briefly as possible, to state to the House the figures belonging to this Estimate, and in doing so it will not be necessary for me to occupy much of the time of the House. The total amount of the Estimate is £575,376, which is only an apparent rise of £7,054 on the

amount asked for last year. But it is right to point out that the actual increase is £14,930, the reason being that the drawing grant of £7,500 is withdrawn from the Vote of the Science and Art Department. The main item of increase is in the day and evening schools, namely, £12,161, and the balance of the increase is distributed over smaller miscellaneous items. The Committee will remember that the increase depends on two elements—first, the average number of children in attendance; and, secondly, the amount gained from the scholars. As regards the first item, the numbers estimated for the year are 512,720; last year's estimate, which was not quite realised, being 510,328. Under the second head the grant per scholar is estimated at 19s., which is the same as was paid last year, although the amount estimated for that year was 18s. 11d. This is accidental. The total expenditure on maintenance is £1,100,000, and of the £575,376, £475,000 goes to the maintenance of schools; but the aggregate local contribution is not limited to maintenance. Of the money paid by the rating authorities to the School Boards, amounting to £502,579, one-half is for the cost of providing schools, instalments, and interest upon loans. The total liabilities of this nature on the 15th May, 1889, were £3,125,236. The number of children for whom school accommodation has been provided is 696,528, and that is practically sufficient to meet the educational requirements of the whole of Scotland. The figures show that the progress of education in State-aided schools in Scotland has been satisfactory, and the increased grant is an evidence of this, while there are other circumstances which support an encouraging view. The attendance, no doubt, continues to be very defective in certain districts, and the age at which the higher standards are reached is still unduly late. It must be allowed that the characteristic of school attendance in Scotland is that it does not begin so early as it should. In England the attendance of infants is very much larger than in Scotland, and I suppose it must be recognised as not a pleasant feature, that there is nothing like the desire on the part of parents in Scotland to send very young children to school which seems to prevail in England. The figures, so far, show an unfavourable contrast with England, but they must be checked by the fact that between the ages of 6 and 12, which are the most important years in elementary education, Scotland is not behind England, on the contrary it is slightly ahead of this country. With regard to the Highlands, there are extra grants this year to the amount of £4,343, and the conditions of the Minute which are necessary for the acquisition of these grants have been fulfilled in 520 out of 671 schools. Under the Minute of the 21st December, 1888, there have been applications from 15 School Boards, of which 13 were admitted and two refused. With regard to secondary schools, 49 schools have been inspected under Section 67 of the Act of 1872. Of these, 21 were higher class public schools, 19 were endowed schools, and nine were voluntary schools. The leaving certificates were fair and uniform. As to the endowed schools, opportunity should be taken to acknowledge the valuable service rendered by the Commissioners, whose office will come to an end on the 31st December, 1889. They have done a large amount of work since 1882, having prepared as many as 473 schemes, which have been the result of prolonged and intricate energy. Of these, 354 have been approved by the Department; and 323 have received the approval of Her Majesty, 16 being still under consideration. I am not aware that I have anything to add at the present moment, but I shall be glad to answer any questions that may be asked.

MR. CALDWELL (St. Rollox, Glasgow): Many of the Scotch Members who take a strong interest in this question will have been somewhat surprised at the Report that has been issued by the Education Department which deals with progress of education in Scotland since the year 1872. They give the results in a statistical form, and beyond this, they furnish a comparative statement of the results achieved in 1888 as against those of 1872. A tabular statement of this kind enables the public to draw inferences; but the inferences which they are likely to draw from it are exactly the reverse of the true state of affairs. They are such as tend most completely to mislead the public, inasmuch as they are likely to create an im-

pression which the Education Department must know is inconsistent with the facts. The figures thus put before us state that in 1872 there were 225,000 children in the different schools, and that since that date, and up to 1888, the number increased to 557,191. Then with regard to average attendance, it is stated that in 1872 the average attendance of day scholars was 213,549, and that that number increased in 1888 to 496,139; but the Committee will be surprised to hear that the actual increase, instead of being upwards of 280,000, has only been about 60,000. How, then, does this discrepancy arise? It arises in this way. Comparisons have been made in cases in which the conditions have been utterly unequal. Only a limited number of the schools were inspected in 1872, and the Department compared the schools under inspection in that year with the large number that were under inspection in 1888. But, fortunately, we have the means of checking the figures given in this Report. In 1872 the Scotch Education Board took stock of the existing state of affairs, and they found that there were 546,000 children attending school in that year, when the Education Act came into operation; but only 225,000 were receiving State aid, because it was only a limited number of schools which applied to be on the roll of State-aided schools. Since then the natural increase of population has amounted to about 100,000, and one would have expected that in 1888 the number would have reached 648,000 or 650,000. But what is the fact? At the present moment there are on the Register 641,000 children. About two years ago we had statistics as to all the children who attended the non-State-aided schools, as well as those attending schools that were State-aided, and from them we are able to draw a comparison for ourselves. We find that, taking the State-aided and non-State-aided schools together, there were in 1872, 546,000 children attending school, the total increase in 1888 being only 60,000, and yet the Department goes on year after year presenting to Scotland and to this House a tabulated statement showing that in 1872 there were so many State-aided schools, which at that time really did not represent one-half of the children receiving education in Scotland, and they compare that with the number on the Register now. We are, I think, entitled to complain of the Department issuing a table from which we are supposed to draw reliable inferences, when in reality those inferences are the very reverse of the truth and altogether misleading. But we have fortunately another means of getting at the facts. We find that in 1871, before the Education Act was passed, the Census taken in Scotland showed that there were 542,000 children in receipt of education in that country between the ages of 5 and 15. We know that the natural increase of population was 1·065, and that ought to have brought us to this—that there should have been on the register in Scotland to day 642,000 children, all of them in receipt of education. But there are only 700,000 children altogether to deal with in Scotland; and we find that in Scotland, where we spend half a million of the money of the ratepayers and about the same sum in Imperial Grants for educational purposes, we have only an increase of about 60,000 children under education since the year 1872. The result is that by the Education Act we have 35,000 more children under education than if there had been no such Act. We have enacted provisions for Scotland, under which no child below 13 years of age is allowed to work full time in any factory, no matter what standard it has passed. We have also increased the compulsory age in Scotland to 14 years, with the provision that no child who has not passed the Fifth Standard is allowed to work until he has attained the age of 14. Moreover, the compulsory standard in Scotland is the Fifth Standard, whereas in England it is between the Third and the Sixth. Scotland being regarded as so important an educational centre, we should naturally have expected that the number of children attending schools in Scotland would be largely in excess of the number attending schools in England in proportion to the population. But what is the fact? We find that in England there are on the School Register 16·38 of the population, while on the other hand, in Scotland the percentage on the Register is only 16. Again, if we take the average daily attendance, we find that in England, it is 12·7 of the total population, whereas

in Scotland it is 12·3; so that, while in Scotland we have a higher standard than England and an increased age, the number of children in school attendance is proportionately less than in England at the present moment. This is a result which cannot be termed very satisfactory. Another point has reference to the school supply. The Scotch Education Department tell us that, in 1882, there was accommodation for 274,000 children. In 1872 the Board of Education took statistics as to the amount of school accommodation in Scotland, and they divided it under three different heads—namely, good, bad, and indifferent. These facts were most carefully tabulated; but we have it represented here by the Department as if the figures only related the amount of accommodation provided in the State-aided schools, whereas it was known there were other schools superior to those on the annual great list which gave accommodation of a kind that could not be impeached. If the Scotch Education Department wished to make a fair comparison they had nothing more to do than to give us the statistics of the Board of Education, which set forth the amount of accommodation existing in 1872, and then to compare that with the accommodation now provided. It is not as if the Scotch Education Department were not aware of this. Their attention has been called to it for years, and the only explanation of their action is that they are wilfully persisting in a wrong system. At the end of their Report they give us a table which is very significant, and shows the fallacious principle on which their statistics are made up. They say that about one seventh of the children in Scotland attend the higher schools in which the payment is paid a week and upwards. Well, the Scotch Department know that that is not true. By a Return issued about a year ago it was shown that the number was not much more than one-half of that. This table brings them to a most extraordinary result. If this table is correct, there is not a single child in Scotland between the ages of 7 and 12 who is not attending school, deducting of course the one-seventh found in the higher schools. That is a most marvellous result. I venture to say it is a result which is unprecedented in any part of the world. But that is not all. To show the perfection with which the Scotch Education Department work their statistics let me also point out that there are on the school registers, 23,885 more children between the ages of 7 and 12 than there are children of such ages in Scotland. The Department have had their attention called to this because they have taken the trouble to calculate the percentage of the children on the school register compared with the children in existence. The Department know quite well that there are not one-seventh of the children between the ages of 7 and 12 in non-State-aided schools. They know that for years past the School Board system has been working down all the private schools, indeed, they themselves have issued a Return showing clearly that there are not more than 70,000 or 80,000 children in non State-aided schools, whereas they represent that there are between 120,000 and 130,000 children in such schools. The Department themselves find great fault with the school attendance, but perhaps, before dealing with the question of school attendance I may refer to that of the school supply. I find that last year the average attendance increased by 4,500, while the school supply was increased by 9,500 places. If one looks back at the Reports of the Department he finds that, according to the Department, the school supply in Scotland is practically complete. In Scotland the school accommodation is a heavy burden upon the local ratepayers, and in the Highlands especially is the cause of the distress in school matters. We are told that there is in Scotland school accommodation for 687,000, and yet the average attendance is only 496,000. That is to say, we have accommodation for 200,000 more children than there are in average attendance, and this, too, after we have increased the space requisite to 10 square feet per child. This state of things represents an enormous waste in the shape of interest on money expended, and is the cause of a considerable amount of hardship throughout Scotland. With regard to school attendance, the Department tell us they calculated there would be 804,625 children on the Register, and 670,000 in average daily attendance. I should like to know how in the world under present conditions, or under any similar conditions, could the Scotch Education

Department expect there would be so many as 804,625 on the Register? According to the Education Act, a child is required to pass Standard V. in order to be relieved from school attendance. Standard V. may be passed in six years. That is a well understood fact, because the attendance necessary in order to pass a standard is 125 full-day attendances, or 250 half-day attendances. A standard may be easily passed by a child of ordinary intelligence who makes the attendance I have mentioned. Taking children of from five to 12 years of age, I find that the total number of children in Scotland is 661,000, so that if you put the children in non-State-aided schools at 60,000, you have 600,000 who naturally ought to be at school. If you have your educational system in proper working order in Scotland, the utmost number you should have on the roll in State-aided schools in Scotland would be about 600,000. In order to get the average attendance you would have to make a deduction of about 23 per cent., but we find we are not getting the results we might reasonably expect. In comparing England and Scotland we have to take into consideration the differences between the two countries. The standard of education varies, and, whilst in Scotland the compulsory age has been raised to 14 years, in England it remains at only 13 years. Another important factor in the situation is that in England the schools are limited by the Act of 1870 to elementary education, whilst in Scotland there is no such limit. We might, therefore, reasonably expect that we should have in Scotland a higher percentage of passes in the higher standards. We find, however, that England far surpasses Scotland in this respect. I find that last year the increase in passes in the standards from four upwards amounted in England to 36 per cent, whilst in Scotland the increase was only 17·6 per cent. If England were to adopt the law of Scotland, making Standard V. compulsory, and if it were also to adopt the provision of the Scotch Factory Act that no child shall be allowed to work full time in a factory until it has reached the age of 13, or passed Standard V., it would completely surpass Scotland in the matter of education. There is one curious result to be ascertained from the Returns. For instance, I find that in Standards III. and IV. during the past year there has been an actual deficiency in presentation. The Scotch schools keep back some of the children, whereas the English schools present all they have. During the past year the average attendance in Scotland has increased by 4,500, and yet the number of children presented to the Inspector has decreased by 2,000. If the Scotch teacher is so cautious as to take care that children who are not likely to pass are not presented when the Inspector makes the examination, of course the percentage will go up. During the past year, whilst 14·8 per cent of the population were presented in England, only 14 per cent were presented in Scotland. England presents 90 per cent of her register, and Scotland 77 per cent of her register. Another curious fact is that whilst Standards III. and IV. have increased during the past year, Standards V. and VI. have not increased. It shows that in Scotland you are working down the secondary schools, and the children are being sent into the Board Schools. You consequently have an increase of the passes in the standards above the compulsory standard, owing to the class of children you are getting into the Board Schools. The increase is therefore not one which we should rejoice at. It means that you are reducing the number of private schools in Scotland year by year, and that the children who have been attending private schools are now swelling the numbers of those who are passing out of the compulsory standards. What is more significant still is the fact that when we deal with Standards III. and IV., in which we might expect to find a great improvement as regards the mass of the population, we actually find a decrease this year. This leads one to consider the effect of the action of the Scotch Education Department upon the secondary or private schools in Scotland at the present moment. Those who are interested in private schools denied for a long time that secondary education was on a decline in Scotland, and I remember the right hon. Gentleman who is now Chief Secretary for Ireland (Mr. A. J. Balfour) bringing forward a whole host of statistics to

show that that was not the case. The Government Department had, however, eventually to confess that secondary education was on the decline in Scotland, and they appointed a Departmental Committee to investigate the subject, with the result that the Committee had to confess that it was on the decline. There can be no doubt that the School Boards have been competing with the secondary schools in such a way as to render it practically impossible that secondary education can exist. Take the case of Glasgow. According to the tables of the Scotch Education Department, we should have expected that one-seventh of the children in Glasgow would have been found in the higher schools, and paying about 9d. per week. There are about 84,000 children in the City of Glasgow, and, therefore, 12,000 ought to be in the higher schools. As a matter of fact, the number is only 3,800, and that number includes about 2,300 who receive their education at the expense of endowments or at the cost of the ratepayers. Therefore, only about 1,500 children are receiving education at the sole expense of the parents, and paying above 9d. per week. Even the 1,500 do not all come from the City of Glasgow, because about half of them are brought in from country districts. I say, then, that the whole of the education in Glasgow is being centred in the School Board, and private enterprise now finds it practically impossible to exist. Some of the private schools have now only a nominal existence, because it is impossible for them to provide satisfactory teachers. The children who are driven out of the private schools are necessarily going into the Board Schools, and have necessarily increased the attendance, and the higher standard passes in those schools. It has been the policy of the Scotch Education Department to kill out the secondary schools. How is it done in Glasgow? In order to get over the objection of parents to allowing their children to attend schools which every other class of children attend, the Glasgow School Board have graded the schools socially. Standards I. to V. are taught at 1d. a week in one school, whilst in another for the same standards, two or three times that amount is charged, and in another, four or five times that amount. The object is to get certain classes of the community in certain schools. The unfortunate result is that the bursaries and scholarships which were intended for the poor are being given to the richer classes. At the same time the secondary schools are going back year after year, and the attendance at the Universities is getting less and less. This is probably a rough but significant way of testing the results of your educational system in Scotland. If your system were on the basis that you are going on improving your elementary education, it would reflect itself in the secondary education, and again in University education. But the reverse is the case, your secondary education and your University education are going down, and as for your elementary system, you are taking children out of it by bringing in secondary education; you are taking from one and putting on to the other, just as you did with your school attendance. There are various means of improving secondary education proposed by the Department. They propose that we shall have secondary schools in Scotland, and how are they to be properly maintained? No doubt theoretically, a man sitting in his office in London and looking at the educational question, and bent on some means of improving secondary education would think "if we get secondary schools with proper appliances and the attendance of children we shall get better results than we can in elementary schools." This may seem so in theory, but then we have to consider the habits of the people and the sparse population in many parts of Scotland. You may have secondary schools here and there, but the problem is how to get the children into them. We have experience of the system of John Knox under which the teacher was a man of education, who looked forward to secondary education as the ultimate end of all his teaching, and it was his greatest ambition to lead his pupils on and send as many as possible to the Universities. The teacher inspired an enthusiasm for secondary education in his scholars. It would be a great mistake to suppose that all you have to do is to open secondary schools, have teachers and appliances, and conclude that parents, knowing the value of secondary education, will send their

children there. Nothing of the kind. It will be found, as regards the children who were sent to the Universities in the olden time, that they were picked out as the ablest by the teachers, and their education was worked up to a certain point, because the teacher inspired in his pupils an enthusiasm to go on into higher education. But that is exactly what you are killing in Scotland at the present moment. You may establish well-equipped secondary schools, but the most important element is to get the children into those schools. Let us see how your free education system works in regard to secondary schools. The Lord Advocate admits that secondary schools are badly manned and equipped, and are not in an efficient state, but if the secondary schools find it hard to exist now existence will be doubly hard under the new system. You will widen the gulf between secondary and Board Schools to such an extent that hard as it has been for secondary schools to exist in competition with Board Schools it will become impossible within the next few years. So we have this matter clearly brought out, that the system under which you are proceeding is not a system tending to educational improvement, it is simply a reversal of the system that has made Scotch education what it is, and your new system is practically ruining secondary education and University education. Reference has been made to the examinations going on of secondary schools in Scotland. I admit that the Department must satisfy itself as to the state of these schools, and I have no doubt that all the schools will claim to be inspected, because they know that without it existence would be impossible under present circumstances, that they could not possibly be worse off, and their only hope is that if they submit to inspection they will have some claim for Government assistance. I can quite understand how Scotch teachers recognise their own interest in this way, and place their schools under the inspection of the Department; but I must say I do not view with any great confidence this system of inspection. The result will be that certain educational results will be brought out, and it may seem paradoxical that anyone should say that inspection could possibly do any harm. It will be said inspection may possibly do no good, but it could do no harm. But I apprehend it may do harm, and in this way: the inspection practically fixes the teaching of the whole school, and the teacher has not that free hand which is so essential in a proper educational system, because he will have regard to the important fact that the examination will take place at the end of the year, and that he must make his teaching subservient to the passing of his scholars at the end of the year. That will be the result of the Department getting the whole of the education of Scotland into their clutches. [*Cries of* "Divide!"] I am sorry to try the patience of some hon. Members; but be it remembered that we have not had an opportunity of discussing this Vote for three years, and there are special circumstances that make discussion desirable now. There is another point to mention in regard to school inspection. The Scotch Department have got it into their heads that if they can get hold of a man with an English Degree he must necessarily be a better man for an Inspector than another with a Scotch University degree. It would be interesting to have a Return showing how much stress is laid upon this point, and how often, as between men of equal ability and experience, the English Degree gets the preference. We had an experience of the result in the appointment of an Inspector in Stirlingshire whose want of practical sense and experience to an almost ludicrous extent, University "don" though he was, set the whole district in rebellion. It is pretty generally known that the Scotch Education Department is really a one man department, that the Secretary for Scotland is the Education Department. Though naturally there is a Board of Education, yet in point of fact the members only formally meet and pass such matters as are put before them. This is one reason for the strong feeling that exists in Scotland as to the mismanagement of educational matters, because there is not that free discussion there should be from the presence in the Department of men of independent views in relation to matters in which it cannot be supposed that the Secretary for Scotland is especially interested and

specially understands. Nobody supposes that he will go into details sufficiently, and so it is that the man who possesses a certain Degree is marked for promotion as Inspector. Now, I will venture to say that all those who have been through the University know perfectly well how little value should be attached to a Degree. When a man is young he applies himself to working up for the Degree, and when he secures it, that is a mark of his ability then. But the taking of the Degree is no mark of success in later life. The taking of a Degree represents an amount of industry for the time being, but more important are the practical experience and the industry that follow the University life. Yet these are ignored in favour of those men who happened to have secured a Degree, especially an English Degree. There is much complaint on this account among the teaching profession. Therefore, I maintain that this educational report which the Department have issued, instead of being a report calculated to give the public a fair and true knowledge of the progress of education in Scotland, is of a most misleading character. I have endeavoured to point out that the effect of the educational system being pursued in Scotland is killing the secondary schools. I do not intend to divide the Committee, or put any issue before them, but I think it is for the interest of education that these matters should be discussed, and I do not think that Scotch education has ever occupied an undue share of the time of the House.

MR. MARK STEWART (Kirkcudbright): I will not imitate the hon. Member in the length of my remarks, for I am well aware there are many Members interested in this subject. The hon. Member has complained of the Scotch Department in London, and he said there are great grievances felt in Scotland in regard to the action of the Department. But I do not agree with him there. I have taken the trouble to sift different allegations made as to mismanagement by the Scotch Education Department, and those who are supposed to be principal actors in the work of the Department, and in almost every case I have found that the Department have taken the greatest trouble to arrive at a right and true understanding of questions before them. I have found that good sense has prevailed, and that what has been done by the Department has been done with all the care and discrimination that might be anticipated. The hon. Member has referred to the appointment of Inspectors, and this is one of the matters I have taken the trouble to inquire into, and the result of my inquiries is that I have found that where they have appointed men with University Degrees the Department have selected the very best men they could find to fill the position of Inspectors. You cannot blame the Department if, in making a selection among men equally qualified, they choose the man with a Degree, passing over others not so distinguished. They have generally taken the best men as Inspectors, though I confess I at one time shared the view of the hon. Member, but inquiry dispelled that impression. I would like to see the Scotch Education Department combined with South Kensington, for I believe that by that arrangement a very large sum of public money would be saved, and education would be advanced, especially technical education. When the working of the Department is blamed it should be remembered that the main lines upon which they work have been laid down by Parliament, and if there is blame it should not fall upon the Department. There is one grievance to which I wish to call the attention of the Lord Advocate—that is the proposal to stop the grant for cookery and drawing unless the two are combined. We cannot expect to have cookery universally taught, whereas it is different in the case of drawing. I hope, therefore, that the right hon. Gentleman will continue the grant for cookery and also a separate grant for drawing. I take it that this is a matter for the Treasury rather than for the right hon. Gentleman, but I hope that the right hon. Gentleman will use his influence in this direction with the Treasury. I am sure if he will accede to my suggestion it will have the approval of all School Boards, certainly those in the country districts. I should have liked to have said a word or two upon secondary education, but I will refrain. I will only say that I do not think it is on a satisfactory basis. There is a great want springing up, one that is felt

every day, for some place in the country districts to which to send children after the elementary school and before sending them to a University, or to which, even if they do not go to a University, they may be sent to continue their education. Such a school might be established in certain groups of parishes, or in a large parish. There are many parents in the position of land agents, and others, who really want to give their children a better education, but cannot send them far from home because of the expense and difficulty.

DR. CLARK (Caithness): There is a question I should like to ask in reference to Section No. 32 A. I put the question some time ago and I should now like to know what has occurred since. As I understand this Section 32 A, it suspends the 17s. 6d. limit in reference to Highland parishes. In the Code for 1886, by some means Caithness and Sutherland were dropped out and four counties only were exempted. The Secretary for Scotland admitted this was an error, and, with the assent of the House, these grants have been made in the counties I have mentioned until the present year, when, as I understand, the Auditor General has expressed doubts as to the legality of the payments, although made with the assent of the House and of the Treasury. In consequence of the question raised by the Auditor General, the grants have ceased in Caithness and Sutherlandshire, and the schools there, expecting these grants and not getting them, are in rather a bad condition. I should like to know why it is these grants have been stopped, and whether the Treasury will issue a Minute or take means of removing the scruples of the Auditor General, and placing the legality of the payments beyond doubt.

*MR. A. SUTHERLAND (Sutherland): There is an increase in the Vote of £14,554; but I am not going to criticise that. I am sorry I have not the Report of the Educational Department with me, for I intended to make some remarks thereupon; but I may observe generally that I do not attach much importance to the various statistics, though, no doubt, they relate to important matters of administration. I look more at the new departure of the Department in reference to inspection, and I hope that the policy will be in the direction of a relaxation of the rules that are applied to both Inspectors and teachers. I agree that there is great difficulty in carrying these changes out when money grants depend upon the work done in the schools; but I hold that the more we trust to the teachers and Inspectors the more will it to be the interest of education in Scotland. A great deal has been said as to the qualifications of the Inspectorate. I have no doubt that some years ago preference was given to candidates from the English Universities, and that it was a great grievance amongst teachers of experience and high qualification that they should be subject to inspection by men of this kind. The complaint was made that the Inspectorships were not open to teachers with the necessary experience and qualifications, but I understand that to a considerable extent this grievance has been removed. The complaints one used to hear are now not so frequent. I consider that the educational policy which should obtain in Scotland, necessitates the appointment of Inspectors from amongst the body of teachers, in whom the public generally have the greatest confidence. I hope and trust that the future policy of the Scottish Education Department will be to throw more responsibility on the Inspectors, and not to tie them down in such a way as to make them mere machines. I am sorry I do not notice on the part of the Education Department any tendency to make a new departure in this regard. I had hoped, further, that the Department would have indicated some policy in regard to doing away altogether with denominational training colleges. I do not say that they are not performing their work in a very efficient manner. Efficiency is not the question, but I think that something ought to be done in the direction of nationalising the training colleges, as at present a great waste of money is involved in the maintenance of so many institutions for the training of teachers. The number of denominational schools might also be reduced with advantage, having regard to the costly public machinery for education existing everywhere in Scotland. It is a source of satisfaction to me to see that these schools are diminishing in number to some extent, but I should like to see

a greater diminution, but I think the Department might offer inducements in that direction. These schools should be under the School Boards. As to secondary education, I am not aware that anything can be done to advance it by trying to engraft it on primary education. It is, to my mind, a matter that deserves a distinct policy of its own. Moreover, I think it should be dealt with without delay, and I hope, therefore, that it will be one of the matters which the Education Department will now take into consideration. As to one of the points brought under the notice of the Committee by the hon. Member for Caithness, I am bound to say it took me very much by surprise. It astonished me very much to hear that the County of Sutherland, as well as Caithness, was excepted from the grant which the Education Department took such credit to itself for having obtained for the assistance of the Highlands. I cannot approve of the policy of the Department in the matter, neither can I approve of their action in treating Lewis exceptionally. The control of the Schools there is taken out of the hands of the elected Board, for what reason I cannot conceive. The Department may say that, considering that they are making extra grants, they ought to have extra control, but I cannot see the justice of the demand, and am clearly of opinion that the Local Authorities should have the same control as heretofore. On the whole I must say I regard the Report of the Education Department as satisfactory on all points, except the one to which I have referred. On the whole, I see no reason for anything but congratulation.

MR. E. ROBERTSON (Dundee): I rise to move the reduction of one item, namely, the grant for Denominational Training Colleges, but before proceeding to deal with that subject, I should like to make a passing allusion to one or two points mentioned by previous speakers. With reference to the reflections that have been made on the Scotch Education Department, I desire to enter my protest against the entire system of the management of that Department. I do not believe that the people of Scotland will long submit to a system whereby the control of one of the most important interests in Scotland is practically in the hands of a few professionals who live and move and have their being in London. I object to the State subvention which is the basis of the Report before us. The system of giving grants out of the Imperial Exchequer to Local Boards misleads the people, who think they get their education paid for, whereas it is like taking money out of one pocket and putting it into another. That delusion is the only ground on which the present system rests. I do not believe education in Scotland will be satisfactory so long as it is managed by a body of professionals in London. With regard to the specific complaint that has been brought forward in reference to the appointment of Inspectors, I can only say that the matter is the subject of general complaint in Scotland. I do not know whether, as has been stated, the matter has mended in any degree of late. I do not know why it is that persons with English University Degrees are selected for the office of Inspector. The mere fact of a person possessing a Degree—even a London Degree—is not a disqualication, but I want to know why such persons should be selected in preference to teachers of high standing in Scotland? Surely men who have risen by sheer merit to prominent positions in the teaching profession in their own country have a right to aspire to those positions, and are the persons best qualified to fill them in the interest of education. I cannot for the life of me see how the Government can justify the appointment to the position of Inspectors of young English graduates who come to their work in a state of abject ignorance of its practical necessities. I do not think matters have in any way mended in this respect. My information is to the contrary. I am not aware that any single master has yet been appointed Chief Inspector, although one or two may have been given the post of Sub-Inspector. I think if the appointments of Inspectors were to be examined into we should be able to trace them distinctly to University influence other than Scotch. I now beg to move that the Vote be reduced by the sum of £28,706, the amount of the grant for training colleges. The Debate has come upon us by surprise, and the result is that we are compelled to discuss this important matter in an empty House.

MR. HUNTER (Aberdeen, N.): On a point of order, and in order that we may not be shut out from discussing the question of Inspectors, I beg to move an Amendment to reduce the vote for Sub-inspectors and Inspectors by £100. This raises a question of considerable interest to schoolmasters and School Boards in Scotland, and I believe there exists an almost unanimous opinion in Scotland against the system of taking English graduates as Inspectors of schools, and relegating teachers to the lower ranks of Assistant and Sub-inspectors. Anyone who has experience of the working of our system of inspection knows very well that the distinction between Inspector, and Sub-inspector, and Assistant Inspector, is very hollow—that the only distinction is in the payment they receive and not in the nature of the work they do. It is impossible to grade the work of inspection in such a way as to justify for one single moment the inequality of payment. Therefore, this system of inspection may be looked at from two points of view. From one point of view it is a mode of saving the State expense by substituting inferior for superior Inspectors and giving inadequate salaries instead of adequate salaries; and the other point of view is that the salaries of teachers are low, and, therefore, they can be made assistants without getting as much as they would if they acted in the capacity of Inspectors. We have great complaints made of the present system of inspection. It is notorious that some of the Inspectors make the Assistant Inspectors do the work, and it appears to me that the whole of that system should be swept away. We ought to have only one class of Inspectors, and each Inspector should be put in charge of a district sufficient for him to overlook. I do not say that the salaries of the Chief Inspectors are not too high. Some of them, I think, are decidedly too high, but at any rate the whole principle on which the thing proceeds is ridiculously wrong. So far from experience as a teacher being, as at present, a disqualification for the office of Inspector, I hold that no man ought to be allowed to become an Inspector who has not had some years' experience as an elementary teacher. There can be no doubt that the present system of inspection is open to many objections, principally on account of the want of experience of the gentlemen who are appointed, and who laboriously endeavour, at the expense of the public, to learn the business they ought to have known before their appointment. There are difficulties constantly arising between the teachers and the Inspectors because of the capricious and varying standards the Inspectors adopt. It certainly seems to me, in the interest of the profession of teaching, that promotion to the office of Inspector should be open to all the teachers in Scotland. Every teacher of an elementary school ought, so to speak, to carry the baton of any Inspector in his knapsack. The possibility of rising to that position ought to be before every teacher when he commences his career, because I hold that the difficulty of obtaining the best class of men to become teachers of elementary schools arises from the lack of promotion. It seems to me that to give them this prospect of promotion would be greatly to improve the system of education. For these among other reasons I have moved the reduction of the Vote. I must express my regret that the Government should have taken the Scotch Members unawares by bringing on the Scotch Vote to-day, when we have not the facts, figures, and materials to hand for the discussion. It was a great scandal that the Scotch Votes should be brought on so late as August 14. The mismanagement of our business in this House is rapidly approaching a crisis. These Votes ought to have been taken a long time ago, and not left over to a time when there are not one-sixth of the Scotch Members present.

Motion made, and Question proposed, "That Item C, Salaries of Inspectors, be reduced by £100."—(*Mr. Hunter.*)

*MR. HOZIER (Lancashire, South): I am strongly of opinion that schoolmasters should be eligible for promotion to Inspectorships, and should be so promoted as often as possible. Every profession ought, in my opinion, to have its own prizes, and I see no reason for the scholastic profession being an exception. Such a system of promotion would be of direct advantage not only to the profession, but also to the country. There is no doubt that In-

spectors who come straight from the Universities of Oxford and Cambridge have a very curious idea as to what the standards ought to be; and I, for one, most certainly think the Inspectors should be chosen from among those who have experience of teaching.

SIR G. CAMPBELL (Kirkcaldy): I do not know whether schoolmasters will make the best Inspectors or not, but I am perfectly certain that young graduates do not. They are the outcome of a bad system of education. For many years past I have never met an intelligent, well-educated young friend, without a particular trade or profession, who did not want an Inspectorship of schools. In the circumstances, I do hope Her Majesty's Government will hold out some prospect that in future the Inspectors will be men of mature experience.

MR. J. P. B. ROBERTSON: It is an error to suppose that inexperienced men are appointed to Inspectorships in Scotland. As a matter of fact, no Inspector has recently been appointed who has not had practical experience as a teacher. It is said that it is most desirable that the teachers in public schools should be able to look forward to the position of Inspectors. I would point out that they are in nowise precluded from that office; but it should be understood that no rigid rule is followed by the Department in these appointments, or it would narrow the selection. It is not considered expedient to promote by seniority, but the Department hold a free hand, and no class is excluded from consideration. It is not the fact that the present Inspectors are inexperienced, for there is not one of them who has not been engaged in teaching. With regard to the Sub-inspectors, they do not possess the same powers as the Inspectors, being unable even to make a report without the countenance of the Chief Inspectors. The intermediate grade between the Inspectors and Sub-inspectors was established by the right hon. Gentleman the Member for the Brightside Division of Sheffield (Mr. Mundella). These Assistant Inspectors are chosen from the certificated teachers, and there is thus communication established between the two bodies—the Inspectors and the teachers.

MR. CALDWELL: As an instance of the manner in which the appointments to Inspectorships are made, I would point out as a remarkable fact that two head-masters of a school on the Duke of Richmond's estate were successively appointed to be Inspectors. The selection is based not so much on qualification as upon influence. Though it is true that teachers are appointed to be Assistant Inspectors, there is no movement upwards from the one class to the other. I put a question to the late Lord Advocate on the subject, but all I could get out of the Department was "We are appointing Assistant Inspectors." I never could learn that anything was being done to enable these men to rise higher. The Department says, "We appoint the best men." We want to ascertain whether there is such a thing as gradations of service. And we are entitled to know whether, when seniority is disregarded, there is any special reason for passing it by. If there be any special reason, then the public will be satisfied. Undoubtedly the onus lies upon the Department to substantiate the usefulness of their appointments. As regards Sub-inspectors, we find that they do the whole work of the Inspectors, except merely signing the documents; and the complaint is that Sub-inspectors are not promoted to Inspectorships. I think the men who have been doing the work should have the chance of promotion, other things being equal, or unless there be special reason to the contrary. I ask the Lord Advocate whether within the last few years any Sub-Inspector has been appointed to an Inspectorship when a vacancy has arisen. When it is found that certain people in some parts of Scotland are appointed through influence, while others who have served for years are passed over, naturally public feeling is aroused in Scotland. I support the Amendment.

*MR. M'DONALD (Ross and Cromarty): There is one grievance which the people of the Highlands suffer from, and that is the appointment of Inspectors who do not speak Gaelic as well as

English. It is impossible that the Inspector who does not know Gaelic can make allowance for children who do not speak English properly. Necessarily there must be deficiencies. Those Inspectors who know Gaelic can make allowances, and I hope in future that the Government will appoint Inspectors who are able to speak Gaelic. I have been a teacher myself in my day, and I have seen that the Inspector who could speak Gaelic was able to get more into sympathy with the children, who got along better with him than could the merely English-speaking Inspector. In reference to the promotion of Sub-inspectors in Scotland, I cannot understand the system at all. Is there any other branch of the Public Service where a man has not the hope of promotion from the lower to the higher ranks? The Sub-inspector in Scotland has no such hope. I join with my hon. Friend in asking whether any Sub-inspector has ever been appointed to an Inspectorship? Perhaps the Lord Advocate will explain. If the Sub-inspectors have not the necessary degree, let the Government tell them so; and if they have the hope of promotion, these men will qualify themselves for it. They could easily come to London to take the necessary degrees. But the Government tell them no such thing. The English M.A. is very much more thought of, and young men are appointed to the Inspectorships over the heads of men of 20 years' experience. I know one of the ablest men in the Sub-inspectorate of Scotland, who has been passed over in this way; all the life is taken out of him; he has to do the work of the Chief Inspector, who gets most part of the pay.

MR. E. ROBERTSON: I should like to take note of the fact that in this discussion there has been an absolutely unanimous expression of opinion on the part of Scotch Members on this great education question. The principle of that unanimity—I am quoting almost the words of the hon. Member (Mr. Hozier), whose speech I was delighted to hear—is that the Inspectorships should be regarded as the prizes of the profession of the elementary teachers of Scotland. That is the principle which we are going to assert in this Division. Now, the statement of the Lord Advocate, although to some extent satisfactory, did not meet the principle I have stated. It may be that recent appointments have not been quite so bad, but the Lord Advocate did not assert that these appointments are made from among those who have had experience of teaching in other departments; nor has he given any assurance that the principle will be respected by the Scotch Educational Department in future.

*MR. A. SUTHERLAND: Sir, while I am not prepared to agree with some of the remarks of hon. Members, I deprecate the system which shuts out Assistant Inspectors from rising to higher grades. I also deprecate the system of patronage which has been used in the appointments to higher offices. I know the case of a gentleman, already referred to by the hon. Member (Dr. M'Donald), who has been passed over repeatedly by his juniors who had nothing like his experience and knowledge, and who have given nothing like the useful service which he has rendered. To mark my want of sympathy with such a system I intend to vote with my hon. Friend.

MR. J. P. B. ROBERTSON: In answer to the hon. Member (Dr. M'Donald), I have to state that there are on the staff of Inspectors five who have been promoted. Another point is of a personal character. Something has been said about the injustice of the appointment of Mr. Stewart by the Duke of Richmond. I find he was appointed solely on his merits, and that he had been 14 years an Inspector before he was promoted.

MR. HUNTER: The right hon. Gentleman has hardly met the main point of the objection. We objected that the class of Assistant Inspectors had salaries which were far too low—beginning at £150, and rising to £300 a year. I find that 42 per cent of the schoolmasters in Scotland have salaries

as good as have Assistant Inspectors, and, therefore, there is no promotion. Not only that, but I find that 180 of the teachers in Scotland have salaries above £100, which is the maximum salary of the Sub-inspectors. My objection is that Assistant Inspectors are under-paid and over-worked, and that in point of fact it is a mere subterfuge to pretend that teachers ought to be Inspectors, while you practically deny them the valuable appointments which are given to those who have not their qualifications. I should say that no man ought to be appointed an Inspector or a Sub-inspector who has not been seven years a teacher in an elementary school. From that class, and that class alone, ought Inspectors to be taken; and, moreover, there ought only to be two grades. I think the work is the same in all cases, and the pay ought to be the same.

MR. O'DOHERTY (Donegal, N.): In Scotland I find they have some £25,000 as pay for 40 or 50 Inspectors, while in Ireland we have 83 Inspectors receiving only £30,000. I sympathise with the Motion of the hon. Gentleman and with his object to make the appointments of Inspectors from the class of persons who have had practical training in teaching.

DR. CLARK: The Assistant Inspectors who do the work of examining schools begin at £150 a year, and the consequence is that you get young and inexperienced men to review and examine the work of teachers who are receiving double their pay, and who have had 20 years' experience. It is a matter worthy the consideration of the Treasury whether the salaries of these Assistant Inspectors should not be commenced at £200 a year in order that a better and more experienced class of men may be obtained. Their Reports would not display such ignorance as they do at present, and would have more effect on elementary teachers than they now have.

The Committee divided:—Ayes 103; Noes 135.—(Div. List, No. 306.)

Original Question again proposed.

Mr. Hunter

Whereupon Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again," —(*Mr. Edmund Robertson,*)—put, and agreed to.

Committee report Progress; to sit again to-morrow.

PREVENTION OF CRUELTY TO AND PROTECTION OF CHILDREN BILL.

(No. 372).

Consideration of the Lords' Amendment.

Question proposed, "That the House do proceed with the consideration of the Lords' Amendments."

*MR. H. H. FOWLER (Wolverhampton, E.): I hope the House will allow me to state the course which, on behalf of my right hon. Friend the Member for the Brightside Division of Sheffield, I propose to take with reference to these Amendments. The Amendments are bulky, apparently, in size, but they are easily divisible into three classes—verbal Amendments, Amendments of procedure, and Amendments in substance. So far as the verbal Amendments and Amendments in procedure are concerned, they have been inserted in the Bill mainly at the instance and under the supervision of Lord Herschell and with the concurrence of the Lord Chancellor, and I think the House may be content to accept these improvements of verbal phraseology and procedure without discussion. There might, of course, be some criticism possible on the procedure Amendments; but I would exceedingly deprecate any friend of the Bill raising a question of that kind. That brings me to the three Amendments in substance which the House of Lords have made in this Bill. The first is in reference to the hours in which children are to be allowed to sell newspapers and other articles in the streets. As the Bill left this House, the hours after which children were not to be employed in the streets were fixed at 10 o'clock at night in summer and 8 o'clock in winter. The House of Lords has thought fit to fix 10 o'clock as the hour all the year round. Some objection might, no doubt, be made to this alteration; but it must be borne in mind that power is

reserved to the Local Authority to further extend or restrict the hours, and those of us who are anxious that this clause should work with as little friction as possible will be satisfied to leave the matter in the hands of the Local Authority. The next Amendment of substance is with regard to the position of a wife in regard to giving evidence against her husband. As the Bill left this House it provided that the wife should be a competent and compellable witness. The House of Lords has seen fit to alter that; and as the amended clause was drawn by Lord Herschell, I think the words are entitled to great weight. What is now proposed is that the wife shall be required to attend the Court and be competent as a witness; but, upon her refusal to give evidence, shall not be compellable. There is a great deal to be said on both sides, and I should be sorry to express any dogmatic opinion. When men of the eminence of Lord Herschell and the Lord Chancellor think this the most desirable manner of dealing with this point, I do not think it would be well to ask the House of Commons to disagree with the Amendment. That brings me to the third, and really the only, substantial alteration that has been made in this Bill, and that is with reference to the licensing of children under 10 years of age for theatrical performances. The House will recollect that we carried by large majorities, both in Committee and on the Report, a provision that no child under 10 should, under any circumstances, be allowed to sing or play for profit, either in a theatre or in a circus. We applied the Factory Act to theatrical performances. I am not going to justify what the House did on that occasion; but the alteration which the House of Lords has made is this—although it leaves the clause precisely as it was with reference to children under seven years of age, as to children between 7 and 10, power is given to a Petty Sessional Court to grant licenses for such employment. No Magistrate would be able to grant a license at his residence; it must be done in a public Petty Sessional Court, and the license will be subject to such conditions and restrictions as the Court may think fit to impose. Now, I regret that Amendment; but we have to deal with this matter as practical men. I would not only ask the House to attach some weight to the opinion of the right hon. Gentleman the Member for the Brightside Division of Sheffield, but I would also urge them to accept that of a gentleman who is largely responsible for the outside opinion which has produced this Bill—I mean the Rev. Mr. Waugh. I think, too, I have some claim to be heard on this question; for when it was originally proposed to exempt theatrical performances from the operation of the Bill, I led the revolt. Of course, my sympathy goes in the direction of extending this clause as far as possible; but, looking to the state of public business and the fact that this Amendment had the support of Her Majesty's Government in the other House and that they are not likely to assent to its abandonment, I would urge that these Amendments be assented to. I do not wish to reflect in any way on the action of the Government. I think, as a matter of common justice, that if this passes into law, all of us who are deeply interested in it will be very much indebted not only to the First Lord of the Treasury, but also to the Attorney General, without whose assistance the Bill could not have been passed this Session. Therefore I am not reflecting on the action of the Government when I say I am persuaded that the majority of this House would decline to upset this compromise. If this Amendment is not agreed to by the House of Commons, the result will be a wrangle between the two Houses and the inevitable loss of the measure. Under these circumstances, having regard to the fact that this is a vexed question upon which many people just as philanthropic as ourselves take different views, and that a fair compromise has been obtained, I hope that the House will, as a matter of wise and judicious policy, agree with the Amendment, and thus permit the Bill, which will be a great boon to the children of this country, to become law without any further delay.

Question put, and agreed to.

Lords' Amendments, considered.

On Amendment with regard to the employment of children in theatres,

*MR. WINTERBOTHAM (Gloucester, Cirencester): I ask the indulgence of

the House while I make a few remarks on this question. I have a very strong feeling about the mistake which, in my humble judgment, the House of Lords have made in introducing this particular Amendment; and I deeply regret the course that the House of Lords has adopted. Still I recognise the enormous advantages of the Bill, even as amended, and I will not take the responsibility of any risk of delaying its passing, and am therefore prepared to agree with the Lords' Amendments. My hon. Friend the Member for Crewe also desires me to state that he will not move the Amendment standing in his name. And now I wish the House to allow me to say a few words on the moral question. I used words in this House on a recent occasion which I wish to withdraw. They are incapable of absolute proof. There is a great difference of opinion on the matter, and I find the statement is considered exaggerated by many persons who are as likely to be right as those on whose information I based it. As my words caused a great deal of pain to virtuous girls who follow this employment, I wish to withdraw the words I used to the effect "that the great majority, when they ended their dancing days, entered upon lives on the streets." I wish to withdraw publicly what I said publicly; but, at the same time, I do not desire to withdraw my grave protest against this door being specially opened to little girls to enter a profession full of danger to their purity and morality. With regard to this Amendment, I may add that, though it is agreed to at present, it will not prevent the fight from being renewed and carried on until the labour of all children under 10 years is, without exception, prohibited.

Lords' Amendments agreed to.

COTTON CLOTH FACTORIES BILL.

(No. 366.)

As amended, considered; read the third time, and passed.

POST OFFICE SITES BILL. (No. 244.)

Reported from the Select Committee.

Report to lie upon the Table, and to be printed. [No. 323.]

Mr. Winterbotham

Bill re-committed to a Committee of the Whole House for to-morrow, and to be printed. [Bill 377.]

Motion made, and Question proposed, "That the House do now adjourn."

ORDER OF BUSINESS.

*Mr. W. H. SMITH: In accordance with the promise I made early in the afternoon, I desire now to state what will be the course of business. To-morrow we propose to take Classes IV. and V. of the Civil Service Estimates, and as soon after 11 o'clock as possible progress will be reported to enable the Report of the Irish Vote for the Resident Magistrates to be taken.

Mr. SEXTON: When will the remaining Irish Votes be taken?

Mr. A. J. BALFOUR: The Government are anxious to consult the convenience of hon. Gentlemen as to the order of the Irish Vote. I propose to take the Vote for the Land Commission next, and the remaining Votes in their order, if that suits hon. Gentlemen from Ireland.

*Sir R. FOWLER (London): Is it intended to have a Saturday Sitting?

*Mr. W. H. SMITH: That must depend on the course of business to-morrow. I am sure the House is desirous of coming to a conclusion with public business as rapidly as possible, and without appealing to the House, or any section of it, to take any business to which they have strong objection, I think it may be necessary to ask hon. Members to sit on Saturday for business which may not be strenuously opposed.

*Mr. H. H. FOWLER: Will the Tithe Bill be taken on Friday?

*Mr. W. H. SMITH: Yes; that is our intention.

Mr. T. M. HEALY: May I ask the First Lord of the Treasury whether it would not meet the views of all sections of the House to drop the Tithes Bill?

Question put, and agreed to.

House adjourned at one minute before Six o'clock.

HANSARD'S PARLIAMENTARY DEBATES.

No. 11.] SEVENTH VOLUME OF SESSION 1889. [AUGUST 23.

HOUSE OF LORDS,

Thursday, 15th August, 1889.

FEES OF THE HOUSE.

Table of the Fees of this House now charged in respect of Appeals, Claims of Peerage, and Claims to Vote for Representative Peers: Ordered to be laid before the House (The Chairman of Committees).

LUNACY BILL.

A Bill to consolidate the enactments respecting lunatics—Was presented by the Lord Chancellor; read 1ª; and to be printed. (No. 226.)

COTTON CLOTH FACTORIES BILL.

Brought from the Commons; read 1ª, and to be printed. (No. 227.)

GENERAL POLICE AND IMPROVEMENT (SCOTLAND) ACT (1862) AMENDMENT BILL.

Brought from the Commons; read 1ª; to be printed; and to be read 2ª To-morrow.—(The Lord Ker, *M. Lothian*). (No. 228.)

REGULATION OF RAILWAYS (No. 2.) BILL.

Brought from the Commons; read 1ª, and to be printed. (No. 229.)

MERCHANT SHIPPING (TONNAGE) BILL. (No. 174.)

Returned from the Commons with the Amendments agreed to.

PREVENTION OF CRUELTY TO AND PROTECTION OF CHILDREN BILL. (No. 160.)

Returned from the Commons with the Amendments agreed to.

FACTORS BILL (No. 122.)

Returned from the Commons with the Amendments made by the Lords to the Amendments made by the Commons agreed to.

COUNTY COURT APPEALS (IRELAND) BILL (No. 104.)

Returned from the Commons with the Amendments agreed to, with Amendments: The said Amendments to be considered to-morrow.

ARBITRATION BILL (No. 97.)

Returned from the Commons agreed to, with an Amendment: The said Amendment to be considered to-morrow.

BUSINESS OF THE HOUSE.

*LORD DENMAN, in moving "That Standing Order No. XXXIII. be suspended until an adjournment for more than two days, or until a prorogation," said, that he did not anticipate much opposition to the Motion, because in consequence of the House not being full enough to sustain a Division it had been necessary to throw over business for a day, in the case of one Bill which had to be re committed, which was inconvenient.

*VISCOUNT CROSS did not think there had been any cause shown for this Motion, as no difficulty of the kind referred to had arisen.

On Question, resolved in the negative.

PRIVATE BILLS (ALTERATION OF MEMORANDUM OF ASSOCIATION.)

Report from the Select Committee considered (according to order).

LORD HERSCHELL: I have to present to your Lordships the Report of the Joint Committee appointed by your Lordships' House and the other House to consider the subject of Bills which involved alterations in the Memoranda of Association of Joint Stock Companies. Your Lordships will remember that the appointment of the Committee arose out of the circumstance that a Bill which had been read a second time and passed in the other House, with the sanction of the Chairman of Committees, in this House did not pass the Second Reading, inasmuch as it was thought that the matter should be considered and dealt with how far Joint Stock Companies registered under the Act of 1862 ought to be permitted to invoke the aid of Parliament to alter their Memoranda of Association. Accordingly, a Joint Committee of both Houses was appointed in order that some uniform system might be laid down applicable to both Houses. I have now to present their Report. They recommend, in the first place, general legislation to enable companies without the necessity of resorting to Parliament, under strictly defined conditions and limitations, which are specified in the Report, to make alterations in their Memoranda of Association with the sanction of the Court, giving full opportunity to all those whose interests might be affected to be heard, and to show cause against any such alteration, and leaving the matter (subject to any opposition) to the determination of the Court. But the Committee, feeling that until any such general legislation is passed it would not be right that there should be an absolute barrier to companies obtaining an alteration of their memoranda, suggest that Parliament should, in the meantime, deal with the matter upon the same lines as those which they propose the Court should deal with it hereafter in the case of general legislation—that is to say, that the alteration, if it involves the creation of new objects, should be only permitted where those objects are cognate with, or ancillary to, the existing objects, and where the necessity has arisen or the application is based upon circumstances which have developed themselves since the time the company was originally formed. I think that with the limitations which have been laid down by the Committee, and which will now have the sanction of a Committee of both Houses, the matter may be safely left in the way they have suggested. I, therefore, move that your Lordships do agree with the Report.

*THE EARL OF MORLEY: I should like to say one or two words on this subject, as the action which I took with regard to the Belgrano Gas Company Bill (which is again down for Second Reading to-night) led to the appointment of this Committee. When that Bill first came before your Lordships' House I felt, as my noble Friend has stated, that there were no precedents which would allow me to pass that Bill without the knowledge of Parliament, and, therefore, I was extremely glad, after the Second Reading of the Bill had been suspended, that a Committee was appointed to inquire into the subject generally, and to lay down rules for the guidance of Committees of this and of the other House of Parliament in cases where companies desired to alter their Memorandum of Association. I had the honour of serving on that Joint Committee, and I entirely endorse what fell from my noble and learned Friend Lord Herschell. I think that under the conditions laid down in that Report the House may safely allow these alterations in the Memorandum of Association of companies under special circumstances as described in those conditions. But, my Lords, I venture to express the hope that the general legislation which is suggested in that Report will not be delayed longer than is necessary.

THE LORD CHANCELLOR: This is a very wide subject, and I am very doubtful whether in the present condition of affairs it would be altogether right to assume that these recommendations of the Committee are in accord with the general opinion of Members of your Lordships' House. It must be remembered that the subject with which one is dealing is one very important, indeed, to almost every Member of the State. People embark in a particular company, and they have their views for so doing, and they very often take shares as an investment, and they

are responsible for any calls that are made. Of course, I am referring, when I talk of companies, to what is now almost universal, the turning of various businesses into limited liability companies. People might or might not have adopted the sort of view that they could at all events, without risk to themselves and their future fortunes, invest in a particular speculation. It is now suggested that under certain conditions (what they are I do not at this moment know) the objects with which the company was started may be changed. I do not know whether the Committee recommend that the shareholders should be consulted. In the particular case which has given rise to this Committee it was a very strong case. Practically, every shareholder had given his assent to the change. There was also the question of rival companies, and the rival companies that might have been supposed to be interested in this matter had also not only given their consent, but I think urged that the alteration of the Memorandum of Association should be permitted. Therefore, I am not speaking at all in reference to the Motion which the Chairman of Committees is about to make for the Second Reading of the Belgrano Gas Bill; but I wish to guard myself against being supposed to adopt the general view put forward by both the noble Lords who have addressed your Lordships. I think it may well be that merely to afford opportunity to some shareholder or creditor or rival company to come forward and oppose, would or might not be sufficient guarantee, because everybody who is connected with companies —at least who has had to deal with them in judicial matters—knows perfectly well that what is everybody's business in such matters is certainly nobody's business, and many persons will allow things to be done because they will not take the trouble to interfere, and they might be grievously wronged by being compelled to enter into business of which they had no notion at the time they became shareholders. I do not, of course, wish at all to speak in an adverse view of this Report, which is entitled to the respect which is due to a Report considered by those noble Lords and hon. Members of the other House who formed this Committee. All I wish to do at present, having had no opportunity of considering this Report, is to guard myself against being supposed to adopt all its recommendations, and reserve to myself the right of discussing the matter in another Session.

Report agreed to.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 2) BILL.

Order for Third Reading read.

Moved, "That the Bill be now read 3ª."—(*The Earl of Morley*).

*THE EARL OF CRAWFORD: I do not rise to oppose the Third Reading of this Bill, nor shall I oppose the other Electric Lighting Provisional Orders Bills which are on the Paper; but I wish to say that, although very great care has been exercised in the drawing up of these Bills, still I have no doubt whatsoever that in a certain time we shall have to come to you again for amendments in certain portions of the Bills. The parts that I refer to are those dealing with the meter clauses and the testing clauses which, in my opinion and that of those who have had anything to do with electric lighting, are absolutely unworkable. The whole of them were drawn up in the year 1883, within a year of the commencement of legislation on this subject. They have been copied *verbatim* almost into the present Orders. We—I speak now for those who are undertakers under the Bill —have at no time attempted to modify them in any way, simply because no person knows how to modify them. They are quite unworkable, and although great care has been disposed upon them, I think it right at this stage to say that they must not be regarded as final.

THE EARL OF LIMERICK: I presume my noble Friend will not expect me to make any remarks on what he has said. He will remember that these were opposed Bills; that they were considered in the Private Bill Committee of your Lordships' House, of which I had the honour to be Chairman. I believe I may say that this question of meter was not raised before the Committee, and I think, as my noble Friend says, it is a question for the future.

Motion agreed to.

Bill read 3ª (according to order) and passed and sent to the Commons.

POOR LAW BILL (No. 195.)

Amendments reported (according to order); further Amendments made; and Bill to be read 3ª to-morrow.

PALATINE COURT OF DURHAM BILL (No. 71.)

Commons Amendments considered (according to order), and agreed to, with Amendments; and Bill returned to the Commons.

OFFICIAL SECRETS BILL (No. 112.)

House in Committee (on Re-commitment) (according to order); Bill reported without further Amendment; and to be read 3ª to-morrow.

PAYMASTER GENERAL BILL (No. 203.)

Amendment reported (according to order); and Bill to be read 3ª to-morrow.

REVENUE BILL (No. 209.)

Read 3ª (according to order), and passed.

OFFICE OF THE CLERK OF THE PARLIAMENTS AND OFFICE OF THE GENTLEMAN USHER OF THE BLACK ROD.

Second Report from the Select Committee considered (according to order).

*THE EARL OF MORLEY: I think it right that I should make a few remarks upon the Report of the Committee on the office of the Clerk of the Parliaments, because it contains matter that is of rather more importance than these Reports usually contain. The House will probably remember that early last Session a Sub-Committee of the Black Rod Committee was appointed with a view to inquire into the emoluments and salaries of the officers of the House. That Committee did not report last year, but the Sub-Committee's Report is embodied in the Report which now lays on your Lordships' Table. I do not think it will be necessary for me to go through the Report in detail. It has been in your Lordships' hands for some days, and perhaps it will be sufficient for me if I mention what are the leading changes recommended. To sum the matter up, the changes will probably in time effect an economy of nearly £7,000 a year in the establishments of the House, but I should say that these changes are not intended to affect, and will not affect, any present occupier of any post. It is only intended that they should come into effect as vacancies occur in those posts, the object being to reduce the salaries of certain officers. The economies chiefly effected, I should say, are in the Department of the Usher of the Black Rod, and to some extent in the Department of the Clerk of the Parliaments. The whole of these economies will be seen briefly in the Table appended to the Report. I think that what I have said is sufficient to show your Lordships that the Report has been prepared with considerable care, as the Committee has sat many times; and I trust that it may satisfy critics in another place, who have of late years criticised the Estimates for the House of Lords Offices. If there are any questions which any noble Lord wishes to put to me, I will be happy, to the best of my ability, to answer them; but I think I have explained the object of this Report sufficiently, and I now beg to move that it be agreed to.

*LORD DENMAN: It is a great satisfaction to me to see that existing holders are not to be disturbed in the positions which they hold; and I hope that a future Parliament may not be so illiberally disposed as this Report shows the present to be. My respected predecessor relinquished £4,000 a year of his salary and patronage. The Earl of Ellenborough used to say that his father received £14,000 a year, and that he gloried in doing nothing. I can only tell you that for six years my father granted me a large income—more than the fees amounted to—and he was obliged to maintain me in "that comely Portland Place," as Lord Beaconsfield calls it in his last novel, for six years, and if ever there was an ill-used man on the face of the earth, that man was the Lord Chief Justice. It was said to me by one of the ushers of the Court (who went Circuit with the Lord Chief Justice), "The respect shown to Lord Campbell in comparison with your father is as the 'antipodes' of light to darkness." I believe it was the truth that never a more independent Judge sat upon the Bench; and his salary was taken away from him within seven years after it was declared by Parliament; so that he and his family were actually robbed. In

this case there is notice given, but it must be extremely unpleasant to the holders of the present places to see that what they have is grudged them by anticipated reforms on the part of those persons who, if they came into this House, might accept the title of Lord Clotures.

Report considered (according to Order), and agreed to.

COURT OF CRIMINAL APPEAL.

QUESTION—OBSERVATIONS.

LORD FITZGERALD, in rising to ask the Prime Minister whether Her Majesty's Government will take into consideration during the coming Parliamentary Recess the question of constituting an effective Court of Appeal in criminal cases tried in the Superior Courts of criminal jurisdiction or at Quarter Sessions; and, if deemed expedient, present a measure to Parliament during the next Session to effect that object, said: I have to apologise for bringing this matter before your Lordships in relation to the constitution of a Court of Appeal in criminal cases—I mean a Court of Appeal upon the merits, but if your Lordships will refer to the Notice which I have put down you will perceive that it is not calculated nor intended to provoke unnecessary discussion upon the subject, and I do not at all intend to revert to the very prominent case which recently occurred in Liverpool, and which has forced upon the public mind the necessity of considering this question of a Court of Criminal Appeal. Your Lordships may have seen a letter of very considerable ability in the *Times* of Monday last. It is from Mr. Fletcher Moulton, an eminent Queen's Counsel, and he shows in it a great deal of scientific knowledge, and argues his case most logically. He says:—

"So long as the constitution of our Courts prevents all appeal in criminal cases, even of the gravest kind, it seems both just and natural that the results of such a trial as that of Mrs. Maybrick for the murder of her husband should be made the subject of close public criticism."

I do not intend now to criticise or observe on that case at all, save to deprecate the renewal or continuation of what I may call tumultuous discussion and proceedings out of Court, calculated to bring the administration of justice into contempt, to withdraw from it the veneration and affectionate respect with which it has been ever regarded in England, and I will add also, if it will have any effect whatever upon the case of the unfortunate woman now in gaol, it may be an effect to her prejudice, and can do her no good. My Lords, the broad proposition cannot be controverted that there is no appeal whatsoever provided by the English law in criminal cases upon the merits. I use the expression "upon the merits," for I mean the merits both of law and fact; but perhaps it would be better to say that there is no appeal whatever upon questions of fact. The Judge at the trial may have gone wrong; he may have misconstrued the evidence; he may have misdirected the Jury; the Jury themselves may have taken the most unsound view of the facts of the case, and that unsound view may have led them to a conviction; but for all that there is no appeal; you can have no new trial; there is no mode of bringing the misdirection under control, or under appeal, and in fact (and it is a fact beyond doubt or controversy) with reference to criminal cases we have allowed life and liberty to depend entirely and unprotected upon the decision of the primary Court. I may remind your Lordships that though there is no appeal whatever on questions of fact, there is an appeal on questions of law; a twofold appeal, although in each instance of a very unsatisfactory character; but if that were the only subject of complaint, it would not justify me in coming forward on the present occasion, because, although the appeal in law is defective, yet the appeals on questions of law are very few, and are disposed of in the course of a year by two sittings, I think, for two days only, of the Court for Crown Cases Reserved. They are defective in this respect, that when the appeal is not by Writ of Error, it rests entirely in the discretion of the Judge whether he will reserve any question of the Court for the consideration of Crown Cases Reserved. However, confining my present observations to the absence of an appeal on the merits, I have heard it said that, notwithstanding that singular defect in our criminal jurisprudence, the whole thing has worked satisfactorily, and there is no necessity for the constitution of such

a Court. If we look to the cases that have taken place, I think it will be found that that observation is not well founded, and that the contrary is really the fact. I may refer to one or two cases to show your Lordships the proceedings that take place, and how unconstitutional they are. In the case of Lord Dundonald, in 1814, he was convicted of a conspiracy to commit fraud with three or four others, and he was sentenced to fine, imprisonment, and the pillory. I always thought that case a disgrace to criminal jurisprudence in England. In his autobiography he says—

"This vindictive sentence of the pillory the Government did not dare to carry out. My high-minded colleague, Sir Francis Burdett, told the Government that if the sentence was carried into effect, he would stand beside me on the pillory, and they must look to the consequences."

The result of that intimation was that the Government, though anxious to carry out the sentence to the fullest extent, abandoned the pillory, and after a not very long interval, Lord Dundonald's innocence was fully established, not by the Home Secretary, but by independent inquiry. He was restored to all the honours of which he had been deprived, and I myself have often had the pleasure and the honour of seeing him in attendance upon the Queen as one of the officers of the Court. Another remarkable case was that of Mr. Barber, a solicitor, who was convicted of forging a will, or being a party to the forging of a will, and was sentenced to transportation. Four years afterwards he was permitted to return to England with a full acknowledgment of his innocence. In 1850 the House of Commons voted him, by way of compensation, the sum of £5,000. Now all that injury, and all that expense, would have been avoided if there had been a competent Court of Appeal upon the facts of the case. A case always referred to in reference to this desirability of a Court of Criminal Appeal is the case of Dr. Smethurst, who was convicted of the murder of Isabella, his bigamous wife. A Petition was presented to the Home Secretary of the time, and he instituted an inquiry; I believe he even took the step of an independent examination into the case by experts; but the result was to show that the whole proceeding against Dr. Smethurst had been a mistake; that his bigamous wife was not poisoned by arsenic as represented, but that she died of natural causes. His innocence was completely established to the satisfaction of Sir Cornewall Lewis, the then Home Secretary. I think the noble and learned Lord on the Woolsack was one of the counsel in the case, and he will remember that one of the ludicrous mistakes made by the Judge at the trial was to point out, as the motive in reference to which Dr. Smethurst was attacked, that he succeeded to all the property of the lady who was said to be poisoned. She did make a will in his favour, but it was after the illness had commenced which was supposed to be the result of poisoning; so that the view of the Judge that this was a very important feature in the case was that he first poisoned the woman, and then afterwards got her to make a will in his favour. All that would have been avoided had there been a proper Court to enter into and determine the case. Then, again, I may remind the noble Lord opposite of a case that occurred when he was Home Secretary, and which was known as the Penge murder. Five persons were convicted of murder, and left for execution. As to one of them, there was not a particle of evidence beyond that she had led an immoral life. There was nothing else in the case. Upon my noble Friend's examination she was at once—not reprieved, but absolutely discharged; and upon consideration of the remainder of the cases the four persons who where left by the learned Judge for execution, and without any hope whatever, had their sentences commuted, and they were sent to penal servitude.

*Viscount CROSS: My noble Friend, I think, has not quite correctly stated the facts with regard to the last case that he mentioned. The woman who was reprieved was allowed to go on this ground. The question was whether it was murder or manslaughter—it was a case of killing by neglect, and I thought that it was a case of manslaughter. This woman was charged as an accessory before the fact, and she could hardly be guilty of being an accessory before the fact of manslaughter. It was on that ground that she was acquitted.

LORD FITZGERALD: However, I am quite right in stating that the sentences on the other persons were commuted, on the ground that it was manslaughter if anything, and not murder. But Alice Rhodes had no connection with the bad treatment which the woman received: she had no duty to perform towards her: she happened to be the paramour of one of the parties, and her previous life was the only circumstance upon which she was convicted as in conspiracy with the other parties. Possibly I may have fallen into error, and I am glad to have been corrected by the noble Lord, for I am only speaking from recollection as to what took place on the occasion. These, my Lords, are but three out of a hundred cases that I could have cited for your Lordships' information. It cannot be said that a system which allows of such cases is at all satisfactory; in fact, it has been for years condemned, and condemned by successive Governments. A Commission sat in 1878, composed of very able men. Lord Blackburn, I think, presided over that Commission; Mr. Justice Montagu Smith was another of its members; the present Mr. Justice Stephen was one also, and Lord Justice Barry, of the Court of Appeal in Ireland, represented Ireland upon the occasion. Their conclusion was unanimous, that this blot upon the criminal jurisdiction in England, which did not exist in any other civilised country, ought to be removed; and they actually went so far as to state in detail in the Report which was presented to Parliament the measure that ought to be taken for the purpose of remedying this crying evil. In addition, Sir John Holker, the then Attorney General, and Mr. Justice Stephen, between them prepared a Bill, which was presented to Parliament in 1878; and I believe again, in 1880, the Government of which Lord Herschell was Solicitor General took up the subject, but the Bill was not carried through. Recent circumstances have forced this question upon our attention, and it is in remarkable contrast that whilst life and property are thus left disregarded, and entirely at the mercy of the primary tribunal, we cautiously protect and regard the civil rights of property. I may instance to your Lordships that within the last year a case came before this House in which the whole sum in controversy between the parties was £11. No doubt it involved consequences beyond that, but not beyond that to the parties who litigated it. It commenced in the County Court; the County Court Judge gave the plaintiff a decree; the defendant appealed to the Divisional Court, and the County Court Judge was reversed. The plaintiff then appealed to the Court of Appeal, and the Court of Appeal decided in his favour. Again it was brought before this House; it was argued here for three days, and finally the noble Lords who had charge of the case were upon one point divided in opinion, but upon the merits they disposed of the case affirming the Judgment of the Court of Appeal. Again I may refer your Lordships to Indian cases. One of Her Majesty's subjects in India commences a suit in which the sum in controversy is 500 rupees; he is entitled to carry it through all the various Courts of Appeal that exist there, and finally to come to the Judicial Committee of the Privy Council; and sometimes he succeeds in reversing all that has gone before, and turning various defeats into victory. My Lords, the subject—I do not conceal from myself—is one of very great difficulty; but the difficulties are not insuperable; and all I am seeking now to get from the noble Lord opposite is an assurance that Her Majesty's Government will consider this question during the Recess, and, if they consider it practicable and advisable, that they will be prepared in the next Session to introduce a measure upon the subject. Let me for a moment consider what takes place under the present system when there is an appeal to Her Majesty from any criminal conviction. In some cases it is not an appeal for mercy, because an appeal for mercy, for leniency, for the reduction of a sentence, is one based on the supposition that the conviction is right; and there you go to the Queen in the exercise of her prerogative of mercy, advised by the Home Secretary, to either reduce the sentence or in some way to reduce the punishment, which you consider excessive, within more lenient limits. But there are other cases like the case of Dr. Smethurst and the case of Lord Cochrane, where the appeal was not for mercy, but was for the re-consideration of the whole case in

order that justice might be done according to truth and right. And now let us see the anomalous proceeding that takes place. The Home Secretary then has cast upon him the oftentimes terrible responsibility of advising the Queen in those cases. He is not a Judge; he has not the powers of a Judge; he has no power to administer an oath in reference to the case; he carries on the inquiry—or, as I may call it, the re-hearing of the case—as best he can with the aid of the Report of the Judge before whom the trial took place; and when he does come to a decision, he advises Her Majesty upon the subject, and gives no reasons whatever. That proceeding appears to me to be anomalous, illogical, and, in some respects, unconstitutional; and I would substitute for it, if possible, the establishment of a Court of Appeal upon the facts and upon the merits, where, if a mistake had been committed, a new trial might be awarded, or where, at any rate, right might be done according to law and justice. The time seems proper for this. Public attention has been directed to the matter. You do not require any Commission or any inquiry. The materials have been collected, and lie broadcast. You will find them all in the Report of that Commission of 1878 and 1879. I believe that whilst there are difficulties to be contended with and encountered there is not in the public mind a shadow of dissent that the law of England should be, to some extent, altered so as to admit of this appeal. I referred to the Bill which was presented to Parliament in 1878. Probably the fault of that Bill was that it was too extensive and too ambitious. It endeavoured to deal with the whole subject at once, whereas what is required, probably, is a measure confined in the first place to capital cases or to cases of extreme gravity, and hedged round with every possible security. I see no impracticability and no very great difficulty in preparing or carrying a measure of the kind. It ought to be a Government Bill. It would be useless for a private Member of this House to attempt a measure so affecting the criminal jurisprudence—so weighty and so important. It can only be carried by the Government, and I must say that I think we have at present to guide our considerations upon questions of law, and Criminal Law especially, in the person of the noble Lord upon the Woolsack, a Member of the Government who is most competent to guide their Councils upon such a subject as this. His great experience and his willingness to deal with law reform have been amply proved; and I venture to predict that if the noble and learned Lord takes this matter in hand he will be able to propose a measure which will be generally acceptable to your Lordships. It has been said that compensation can be made in cases of mistake, and adequate provision can be made for those who have been wrongfully convicted; but there is a class of cases in which there can be no compensation. When life has been taken, when the individual who has been wrongly sentenced lies in a felon's grave, it is absurd to speak of compensation, and it is in that class of cases that it is my great anxiety to have some Court of Criminal Appeal established. I beg to ask the noble Lord the question which I have put upon the Paper.

THE LORD CHANCELLOR: I cannot but express my regret, notwithstanding what my noble and learned Friend has been good enough to say about myself, that this very important and interesting question should be at the present time the subject of discussion. I know very well from the calm and judicial temper of my noble and learned Friend that I could anticipate no intended allusion on his part to the circumstances of the case now occupying the public mind. At the same time I cannot forbear to point out to him that all people are not invested with the same judicial temper, and that, when he proceeds to point out the defects of the present mode of administering justice, his comments will have a wider operation than he intended. There is no doubt that such questions as these are not appropriately discussed at times of public excitement about them. At a time when we have seen jurors, witnesses, and even a Judge subject to unreasoning and even brutal violence; at a time when persons have assumed themselves to be competent to interfere or justified in interfering with the discharge of the most solemn and serious duty with which a human being can be invested—namely, the determination

whether a fellow-creature shall live or die—when persons have felt it consistent with the due administration of justice that it should be so far interfered with, not only with the violence I have spoken of, but that even some of the witnesses should be followed from place to place, not because any imputation was made against their honour, or honesty, or desire to speak the truth, but because they were supposed to be witnesses unfavourable to the accused—I confess I feel considerable regret that it is at this moment my noble and learned Friend should think it right to raise such a question. There are other ways, too, in which resort is had to intimidation and insult, intended, I suppose, to aid the solemn and serious determination at which the Secretary of State has to arrive. In every newspaper the question of what the Home Secretary has to do, has done, or is likely to do, is the subject of adverse and violent comments. I do say this is not the time to raise such a question here; I do deprecate the House being asked at such a time to consider and discuss such a wide alteration of the law as that referred to. When I turn from the particular case which appears to have given rise to the introduction of this subject, I am afraid I cannot agree with the facts on which my noble and learned Friend relies, or that the suggested remedy would have met the cases he cited, and that the decisions, if erroneous, would necessarily have been corrected by a Court of Appeal. The account of the trial of Lord Cochrane—both what was proved and, what was more important to Lord Cochrane, what he did not prove, but what if innocent he could have proved—raises in my mind a very serious question whether any Court of Appeal would have thought it right to reverse the verdict of the jury. No doubt it was a time of great political excitement; and I am not desirous of going into the matter so far as to raise questions the discussion of which might give pain to some who are still alive. I may, however, say this much about that case — the noble and learned Lord must not assume that all enlightened, educated, legal opinion concurs with him when he says there is no doubt whatever that Lord Cochrane's innocence was conclusively established. The noble and learned Lord referred to the case of Mr. Barber. I do not know whether my noble and learned Friend has taken the trouble to read that case, in which I doubt whether a new trial within six months or a year of the first would have ended in a different result. With respect to the case of Dr. Smethurst, Sir George Cornewall Lewis certainly did not treat it as one in which innocence had been established. I have no hesitation in saying I always thought, and I still think, that Dr. Smethurst was an innocent man; but as I was counsel in the case, my judgment is possibly biassed. Sir George Cornewall Lewis, in granting a free pardon, certainly did not treat the case as my noble and learned Friend suggested—as one in which the question of guilt or innocence was perfectly clear; on the contrary, in stating his final determination, he expressed the extreme difficulty and doubt which was raised by Sir Benjamin Brodie's opinion, which left it so doubtful whether the offence charged had been committed, that it was thought fit to advise the granting of a free pardon, and a free pardon was accordingly granted. With respect to Sir G. Lewis's own opinion on the general question, if my noble and learned Friend will refer to the speech he made in the House of Commons, he will find the subject most exhaustively treated, and his judgment was positively and absolutely against such a Court of Appeal, and adverse to any such change in the law, which, as he pointed out, would render it much more difficult, if there were two verdicts in the same direction, for the mercy of the Crown to be extended upon such doubts as he himself had had in Dr. Smethurst's case. I do not wish, for the reasons already given, to commit either the Government or myself to any abstract proposition on the subject. I only say it is a subject I would rather not discuss now with reference to any future alteration in the law. I trust that my noble and learned Friend will consider that as satisfactory an answer as he was likely to get from Her Majesty's Government.

LORD HERSCHELL: I entirely agree with my noble and learned Friend that it would be not only inexpedient, but wrong, to make any speech at the present time which would have any bearing, direct or indirect, upon the particular case which is now agitating the public

mind. But, at the same time, one must remember that in this country it too often happens that it is impossible to obtain attention to the necessity of any particular reform except when the public mind is excited on the subject and by reason of that excitement. If there is no such excitement, a reform of this character, which is not one likely to arouse any great popular feeling, is only too likely to be allowed to sleep, even if it be a desirable one. It seems to me that there are reasons other than those given by my noble and learned Friend—namely, the time of the year and the state of the House—which render it impossible to discuss the question exhaustively at the present moment. I would, however, like to say that it seems to me that this question of the expediency of establishing a Court of Criminal Appeal is one which might well be considered independently of and without reference to the case now occupying public attention, and for this reason, that those who differ diametrically in their views of this particular case may yet be agreed that it would be better if some tribunal existed which would render possible a review of criminal cases. Such a tribunal might go far to arrest, or at any rate diminish, those manifestations of opinion to which the noble and learned Lord has alluded. I do not mean to say that it would be likely to get rid of such manifestations altogether, because there are many persons who would be quite as ready to criticise the decision of a Court of Appeal, however ably constituted, as they now appear to be to criticise, often with very little knowledge or consideration, the decision of a Judge and jury. I certainly entertain the view most strongly that any decision of a Court of Justice, whether it be the decision of a Judge and jury, or of any other tribunal, may be rightly made the subject of public criticism. It is the right of the public to criticise. But those who undertake the task of criticism have a serious duty incumbent on them to be very careful to inform themselves as to all the facts, and exhibit that modesty and self-control which every one should exhibit who differs from those who have seriously considered and solemnly decided any question. While I admit this right of public criticism, I must say that a good deal of language has been recently used which I must unite with my noble and learned Friend on the Woolsack in deprecating. There appears to have been in the minds of some persons a difficulty in distinguishing between criticism and abuse. These persons, possibly more wisely, possibly more foolishly, have arrived at a different conclusion to that arrived at by those who decided this case, and they have on that account indulged in condemnation, execration, and abuse of them, thus exhibiting a state of mind very far removed from that which can produce any wholesome, and useful, and sound criticism. I do not propose to say more than a word or two on the subject that has been brought forward. I have long thought that some change in the direction suggested was necessary and desirable. I admit the difficulties of the question; but it has always appeared to me to be indefensible that while in civil cases, however small, there should be a right of appeal, in criminal cases there should be none. I do not, however, share the view apparently entertained by my noble and learned Friend that the existence of such a Court would prevent the occurrence of erroneous convictions. There are cases in which wrong convictions are obtained, but I believe that this occurs but seldom. I have had a good deal of experience in Criminal Courts, and have watched the administration of justice there with some care, and I believe that it is but seldom that there are wrong convictions, though some undoubtedly there are. But I do not believe that if you had a Court of Criminal Appeal you would always set right these wrong convictions. In many of these cases, upon the materials before the Judge and jury, the conviction was right and would have been affirmed by any Court of Criminal Appeal that might have been established, and it is only by reason of circumstances that afterwards come to light that we learn that there has been a miscarriage of justice. It would, therefore, be altogether misleading to hold out the hope that any Court of Criminal Appeal could secure that in no case should an innocent person be punished. But there are cases where such a review probably might, I believe would, lead to the setting aside of a wrong verdict. In some of the cases to which my noble Friend has re-

ferred I am by no means certain that, if the conviction had been reviewed at the time, the conviction would have been altered. I do not think that it would be right to expect as much from the creation of a Court of Appeal as appears to be expected by my noble Friend. At the same time, for the reasons I have given, I hope that the matter will be seriously considered by the Government during the Recess, because undoubtedly there is a widespread feeling that it is not just that in the administration of our Criminal Law alone should be the one decision which is incapable of review, and I believe that any solution of this case with due and satisfactory safeguards would give a general feeling of satisfaction and security to the community.

*VISCOUNT CROSS: My Lords, during the time that I had the honour of holding the office of Secretary of State for the Home Department my attention was naturally enough called very much to this question, and I shall be prepared to state my views to your Lordships when the matter comes up for discussion; but I agree with my noble and learned Friend on the Woolsack that this is not the best opportunity that might have been chosen. I merely rise for the purpose of making two observations. I quite agree with the noble and learned Lord who has just sat down that whatever Court of Appeal may be established you must not expect too much from it. I am not at all certain whether prisoners do not get better treated in the way of getting their sentences remitted or reduced under the present system at the hands of the Home Secretary than they would receive from any Court of Appeal. The Secretary of State is always guided by the view that considerations of mercy, so far as they can be resorted to consistently with justice, should not be lost sight of, and prisoners get the advantage of this view, which they would not get from a strictly legal Court of Appeal. The only other observation I wish to make is this—that whether a Court of Appeal is established or not, it will be absolutely necessary that the prerogative of mercy in the Crown should still be maintained, and not simply as to the diminution of punishment as suggested by the noble and learned Lord who brought forward this discussion, but also as to the question of innocence or guilt; because there is no doubt that it does sometimes happen that, perhaps years after the supposed offence has been committed and the man has been convicted, something is brought to light which shows that that conviction is an error which no Court of Appeal could by any possibility have taken consideration of, and for which there is no remedy except in the prerogative of mercy which must rest in the Crown administered on the advice of the responsible Minister at the Home Office. I know that there is a feeling that that administration of justice by a single Minister is not satisfactory, but in the nature of things it must remain, and the principal reason of my rising to address your Lordships was that I might correct a feeling which is wide-spread upon that point. I think it ought to be clearly understood that, Court of Appeal or no, the exercise of the prerogative of mercy by the Crown must be maintained for the benefit of the liberty of the subject.

LORD DENMAN: My Lords, the misfortune of the present day is, that the evidence for the prosecutor is published; and perhaps for two or three days the whole public are judging the case beforehand, which is certainly prejudicial to the prisoner. My brother has always sat later than almost any other Judge in order, as far as possible, to avoid this. Speaking to me about a Court of Criminal Appeal he said that the noble Viscount who has just sat down was the best Home Secretary that he had ever had to deal with. I have witnessed the struggles of the present Home Secretary in the case of an unfortunate Jew, who afterwards confessed that he was guilty. The pressure that was put upon the Home Secretary was something extraordinary; and I am quite certain that until we can see clearly a much better system than the present, we had much better not cast a slur upon the existing authority. I am quite sure that if the present Home Secretary will consult with the noble Lord and with Lord Cranbrook, who formerly held the same office, you would have a better Court of Criminal Appeal than any formal *Cour de Cassation* could possibly be.

LORD FITZGERALD: I know I am not in order in again speaking, but I am sure your Lordships will give me indulgence to say a word or two in what

I may call self-defence. I commence by saying that I agree with every word that has been spoken by Viscount Cross. Now, my noble and learned Friend on the Woolsack has thought it necessary to read me rather a severe lecture for the indiscretion I have shown upon this particular occasion. He seems to have forgotten that I commenced by deprecating any discussion of, and that I told the House that I should not make a single observation or comment upon, the case that now occupies public attention save to deprecate the tumultuous proceedings which have taken place, which were injurious to the very unfortunate person whom they were intended to serve. And all through the course of the few observations that I made your Lordships will recollect that I adhered to what I said at the commencement, and not a word dropped from me in reference to the case now pending. My noble Friend has said that discussion of any kind upon the present occasion is indiscreet. Now, my notice was put upon the Paper on Monday last; and the noble and learned Lord knows me well enough to know that if he had conveyed to me the slightest hint that in the opinion of Her Majesty's Government, or in his individual opinion, the discussion was injudicious, I should have been the last one to press it forward. I should have left everything that I have said unsaid, and withdrawn the notice I had given. But I received no such intimation. I cannot conceive, notwithstanding all that I have heard from my noble and learned Friend upon the Woolsack, that I have been guilty of any indiscretion. My question points, not to the present but to the future—to something that is to be done by the Government during the Recess in order to remedy what is a grave and patent error. I wish only to add that the answer of my noble and learned Friend upon the Woolsack on the part of the Government has been so highly unsatisfactory—holding out no hope even of consideration—that, driven into a corner, if it become necessary, and should I be (to use an Irish expression) "to the fore here," I will even undertake the introduction of a Bill myself on the subject, though possibly I will receive little support from Her Majesty's Government.

Lord Fitzgerald

ELECTRICAL LIGHTING PROVISIONAL ORDERS (METROPOLIS) INQUIRY.

*THE EARL OF CRAWFORD, in rising to move—

"That the Minutes of Evidence and Proceedings in the local inquiry on the Electric Lighting Provisional Orders (Metropolis), held by Major Marinden, R.E., by direction of the Board of Trade, be laid before the House,"

said: I gave notice of this Motion two or three days ago for this reason—that upon this evidence has practically been based the action of the Board of Trade in bringing forward and promoting the Electric Lighting Bills which your Lordships have read this evening a third time. There has naturally been a very great desire by all those interested in this new branch of industry to obtain the facilities of seeing the evidence and of knowing thoroughly what went on during the 18 days that Major Marinden sat hearing the evidence. I am sorry to say that I have received a courteous letter from the Board of Trade saying that although they have no objection from a Departmental point of view, nevertheless the evidence, such as it is, is very voluminous; and therefore they think it desirable that it should not be printed on the score of expense. They also say that that evidence and the appendices were printed from day to day, and that any persons might have had a copy upon payment. It is perfectly true that any person might have had the evidence if he had chosen to pay for it; but he would have had from the commencement, to enter into an undertaking to take the whole of the evidence from beginning to end, and each copy of that book cost the unfortunate holder of it £37 16s. Very few copies, as your Lordships may imagine, were printed; I think not more than about 45, of which my business absorbed 10. The consequence is that there is a very large demand for this evidence which it is impossible to supply, and my impression was that it would have been an economy of the Board of Trade to allow this evidence to be printed, because I feel pretty confident myself that the possession of the evidence would save the Department very largely in the future by giving absolute guidance to those who will promote Provisional Orders in the future. However, as the Department do not feel disposed to

grant my request, I will not press the Motion.

*THE EARL OF LIMERICK: My noble Friend has stated the reason of the Department for deprecating this Motion. There is no Departmental objection to it: the objection is solely on the ground of expense. The evidence lasted 18 days, and there were 1,300 pages of printed matter, and it was considered that unless a very strong case was made out of this large mass of matter being printed and circulated to your Lordships it would be incurring a very heavy expense indeed without sufficient cause.

Motion (by leave of House) withdrawn.

POST OFFICE SITES BILL.

Brought from the Commons; read 1ª; to be printed; and referred to the Examiners. (No. 230.)

House adjourned at a quarter before Six o'clock, till To-morrow, Four o'clock.

HOUSE OF COMMONS,

Thursday, 15th August, 1889.

PRIVATE BUSINESS.

STANDING ORDERS.

THE CHAIRMAN OF WAYS AND MEANS (Mr. COURTNEY, Cornwall, Bodmin): I have to move a series of alterations in the Standing Orders which relate to private Bills. They have been rendered necessary by the disappearance of turnpike roads, the substitution of the London County Council for the Metropolitan Board of Works, and the interposition of tramroads as an intermediary between railways and tramways.

Standing Order 1 was read, and amended:—In line 19, by leaving out after the words "Letters Patent," the words "confirming, prolonging, or transferring;" in line 51, by inserting after the word "port," the words "public carriage road;" in line 71, by leaving out after the word "tunnel," the words "turnpike or other public carriage road."

Standing Order 8 was read, and amended, in line 1, by leaving out the words "for confirming or prolonging or otherwise."

New Standing Order to follow Standing Order 8.

Ordered—

"That in addition to the ordinary notices, notice of the intention to apply to Parliament for a Bill relating to letters patent shall be published twice in the Official Journal of the Patent Office, before the introduction of the Bill in this House; and the total amount of fees, including the prescribed free for enlargement, under 17 of 'The Patents, Designs, and Trade Marks Act, 1883,' due and to become due on the patent shall be deposited with the Comptroller before the meeting of the Committee on the Bill, and such deposit proved before the Committee."

Ordered, That the said Order be a Standing Order of this House.

Standing Order 9 was read, and amended, in line 3, by leaving out the word "and," and inserting the word "or;" in line 34, by leaving out after the word "days," all the words to the word "and," inclusive, in line 36.

Amendment moved, in Standing Order 22, line 10, after "1870," to insert—

"Except that in the case of tramways situate within the area of the county of London, the London County Council shall be substituted for the Metroplitan Board of Works."

Question proposed, "That those words be there inserted."

MR. MURPHY (Dublin, St. Patrick's): I quite understand the meaning of this alteration of the Standing Order, but I should like to have an explanation from the Chairman of Ways and Means. As I understand Standing Order 22, it provides that the Local Authorities, under the Tramway Act of 1870, should give their assent to the promotion of any Bill for the laying down of a tramway before such Bill can be introduced into Parliament. In that Act the authority for London is described as the Metropolitan Board of Works. I understand that in London the practice has been to require not only the assent of the Metropolitan Board of Works, for whom the London County Council is now substituted, but also the assent of the Local Authorities, such as the Vestries and Local Boards. What I wish to know is whether this dual assent will still be required in the Metropolis. It does not appear to be a requirement

in reference to any other part of the kingdom, and I wish to know if the new Standing Order will make any alteration in the old practice.

MR. COURTNEY: The first part of the Standing Order will remain unaltered, and it requires the assent of the Road Authority, where in any district there is a Road Authority, distinct from the Local Authority.

Amendment put, and agreed to.

Standing Order 28 was read, and repealed.

New Standing Order to follow Standing Order 27:—

Ordered—

"That where the work or any part thereof will be situate within the Administrative County of London, or where powers are sought to take any lands within the said County, a copy of so much of the plans, sections, and book of reference as relates to lands within the said County shall, on or before the 30th day of November, be deposited at the Office of the London County Council."

Ordered, That the said Order be a Standing Order of this House.

Standing Order 34 was read and amended:—

In line 3, by leaving out the words "Metropolis, as defined by 'The Metropolis Management Act, 1855,'" and inserting the words "Administrative County of London."

In line 4, by leaving the words "Metropolitan Board of Works," and inserting the words "London County Council."

Standing Order 35A was read, and amended, in line 7, by inserting after the words "in all cases," the words "other than those of Companies registered under 'The Companies Act, 1862.'"

Amendment moved, in Standing Order 37, line 2, after "Tramway," insert "Tramroad."

Question proposed, "That Tramroad be there inserted."

MR. MURPHY: I hope the right hon. Gentleman will explain the necessity for this alteration. The word "tramway" is a well understood definition, and in some recent decisions it has received a distinct interpretation. Why should "tramroad" be substituted?

MR. COURTNEY: It is not proposed to substitute "tramroad" for "tramway," but simply to add "tramroad." There is a distinction between the two; the "tramway" runs along an existing road, whereas the "tramroad" may make a way for itself.

Question put, and agreed to.

Standing Order 43 was read, and amended, in line 1 by leaving out the the words "turnpike roads."

Amendment moved, in Standing Order 45:—Line 38, after "plans," add the following new paragraph:—"The preceding paragraph should apply, in the the case of a Tramroad, wherever it is carried along a street or road."

Question proposed, "That those words be there added."

MR. MURPHY: The words which the right hon. Gentleman now proposes to add to this Standing Order do not square with the definition he gave a moment ago. He said that the distinction between a tramway and a tramroad was that one runs along an existing road, whereas the other makes a road for itself. I am afraid that the introduction of a new word which actually means the same thing will only lead to confusion.

MR. COURTNEY: I fear that I did not make myself properly understood. I did not say that a tramroad for the whole of its way is made independently of a public highway. Part of it may be on its own road, and part of it upon a highway, and the object of this alteration of the Standing Order is to provide that if it runs along a portion of a street or a highway it shall come within the Standing Order.

Question put, and agreed to.

Standing Order 47 was read, and amended, in line 9, by leaving out the words "turnpike or other," and inserting the word "public."

Standing Order 51 was read, and amended:—In line 1, by leaving out the words "turnpike road;" in line 7, by leaving out the words "turnpike road."

Standing Order 52 was read, and amended:—In line 2, by leaving out the words "turnpike road;" in line 12,

by leaving out the words "turnpike road or."

Standing Order 62 was read, and amended, by adding, at the end, the words—

"So far as any such Bill relates to a separate undertaking in any Company as distinct from the general undertaking, separate meetings shall be held of the proprietors of the Company, and of the separate undertaking, and the provisions of this Order applicable to meetings of proprietors of the Company shall *mutatis mutandis* apply to meetings of proprietors of the separate undertaking."

Standing Order 75 was read, and amended, in line 2, by inserting after the word "Company," the word "society."

Standing Order 132 was read, and amended, in line 2, by inserting after the word "Company," the word "society."

Standing Order 145 was read, and amended, in line 2, by leaving out the word "turnpike," and inserting the words "public carriage."

Standing Order 155 was read, and amended:—In line 3, by leaving out the words "turnpike road," and inserting the word "Tramroad"; in line 4, by leaving out the word "other"; in line 4, by leaving out the words "carriage way," and inserting the words "carriage road"; in line 6, by inserting after the word "Report," the words "and hearing the officer, if the Committee think fit."

Standing Order 157 was read, and amended:—In line 9, by leaving out the words "turnpike road"; in line 9, by inserting after the word "Railway," the words "Tramway, Tramroad."

Standing Order 158 was read, and amended:—In (b) line 26, by inserting after the word "passengers," the words "and to such Clause the Committee may, if they think fit, add a proviso to the following effect;" in (d) line 7, by inserting after the word "years," the words "of a new Tramroad three years"; in (d) line 10, by inserting after the word "years," the words "of a Tramroad two years."

New Standing Order, to follow Standing Order 166:—

Ordered—

"That every Bill by which a Railway, Canal, or Tramroad Company is incorporated shall contain a Clause to the following effect:—

"Section 24 of 'The Railway and Canal Traffic Act, 1888,' and any enactment which may be passed in the present or any future Session of Parliament extending or modifying that enactment shall, with any necessary modifications, apply to the Company in all respects as if it were one of the Companies to which the provisions of the said enactment in terms applied. Provided that the time within which the revised schedule of maximum rates and charges prescribed by the said section shall be submitted to the Board of Trade shall be three years from the date of the passing of this Act, or such further time as the Board of Trade may permit."

Ordered, That the said Order be a Standing Order of this House.

Standing Order 167 was read, and amended:—

In line 37, by inserting after the word "otherwise" the words—

"And the Committee on the Bill shall report to the House whether or not they have allowed such interest."

By leaving out lines 47 to 52.

Standing Order 168B was read, and amended, by leaving out, in line 4, the words "Regulation of Railways Acts, 1873 and 1874," and inserting the words "Railway and Canal Traffic Acts, 1873 and 1888."

New Standing Order to follow Standing Order 168B:—

168C. Ordered—

"That in every Tramroad Bill the length of so much of any Tramroad as is to be constructed along any street or road, or upon any street or road, or upon any waste or open ground by the side of any street or road, shall be set forth in miles, furlongs, chains, and links or yards, or decimals of a chain, in the clause describing the works."

Ordered, "That the said Order be a Standing Order of this House."

Standing Order 175 was read, and amended, in line 1, by leaving out the words "confirming of," and inserting the words "restoring any."

Standing Order 194 was read, and amended, in line 1, by leaving out the words "Metropolitan Board of Works," and inserting the words "London County Council."

Standing Order 202 was read, and amended, by leaving out from the beginning of the Order to the word "and," inclusive, in line 6.

Standing Order 207 was read, and amended, in line 3, by inserting after the word "amendment," the words "or any Motion relating to a Private Bill."

ARRESTS FOR DRUNKENNESS.

SIR J. CORRY (Armagh, Mid), moved for a Return—

"Giving the number of Arrests for Drunkenness within the Metropolitan Police District of Dublin, the cities of Cork, Limerick, and Waterford, and the town of Belfast, on Sundays, between the 1st day of May 1888 and the 30th day of April 1889, both days inclusive, the Arrests to be given from 8 a.m. on Sundays until 8 a.m. on Mondays; and similar Returns for the rest of Ireland from the 30th day of April 1887 to the 30th day of April 1888 (in continuation of Parliamentary Paper, No. 381, of Session 1888.");

MR. SEXTON (Belfast, W.): In connection with this subject, I think it would be convenient if the right hon. Gentleman the First Lord of the Treasury would state, in view of the fact that the Sunday Closing (Ireland) Bill is included in the schedule of the Expiring Laws Continuance Bill, what are the intentions of the Government in regard to the former Bill?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): Her Majesty's Government sincerely hope they may be able to pass the Sunday Closing (Ireland) Bill this Session. But they have provided against the contingency by inserting it in the schedule of the Expiring Laws Continuance Bill. In case, therefore, the Sunday Closing Bill is not passed it will be thus continued for another year.

Return ordered.

MERCHANT SHIPPING ACTS AMENDMENT BILL. (No. 339.)

Lords' Amendments to be considered forthwith; considered, and agreed to.

MAGISTRACY (IRELAND).

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.) moved for a Return showing precedents for appointing public officers to the Commission of the Peace for purposes connected with the discharge of their public duties.

MR. SEXTON: This is a Return which has been put down by the Chief Secretary in accordance with a demand made some time ago for information in regard to the extraordinary course which has been pursued in regard to the appointment of certain public officers to the Commission of the Peace. The House is aware that some time ago the Lord Lieutenant discharged certain gentlemen from the position of Resident Magistrates and that the Lord Chancellor of Ireland thereupon appointed them upon the Commission of the Peace so that by a side wind they continue to receive their salaries without being subjected to the constitutional review of this House.

*MR. SPEAKER: If there is any opposition to this Return it must stand over.

MR. SEXTON: Then I oppose it.

Motion postponed.

QUESTIONS.

FACTORY INSPECTORSHIPS—MR. GEO BATEMAN.

MR. HALLEY STEWART (Lincoln, Spalding): I beg to ask the Secretary of State for the Home Department, whether Mr. George Bateman has made an application for an inspectorship of factories; and, whether there is any prospect of his obtaining such an appointment?

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The answer to the first paragraph of the question is in the affirmative, but at the present time there is no vacancy on the staff of the Inspectors of Factories.

THE 4TH HUSSARS.

MAJOR RASCH (Essex, S.E.): I beg to ask the Secretary of State for War whether the 4th Hussars are about to be quartered in Royal Barracks, Dublin; and, whether the sanitary condition of the barrack is now considered satisfactory?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): There has been no question recently as to the healthiness of the cavalry barrack in the Royal Barracks. The other portions, Royal and Palatine Square, have been temporarily evacuated. The depôt of the 4th Hussars will be quartered in the cavalry barrack; and probably the

regiment itself will be moved in at the close of the drill season, about the end of September.

IRELAND—FAIR RENTS.

MR. NOLAN (Louth, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, although the necessary notices to have a fair rent fixed have been served by certain tenant farmers in Dromin Division, Ardee Union, County Louth, so far back as October, 1887, the cases remain unheard, while cases connected with other divisions of the same union in which originating notices are of more recent date have been already decided; whether there is any special reason for the distinction thus made; and, whether any arrangement can be made by which the cases from Dromin can be heard at the approaching Land Court Session in Drogheda?

MR. A. J. BALFOUR: The Land Commissioners report that the list of cases from the union of Ardee, which was issued about two months ago, contained all the cases in which applications had been received from that union up to and including October 31, 1887. The cases on the list were grouped according to the electoral divisions in which they were situate for convenience of inspection; but otherwise no special distinction was made either in the selection of cases or in arranging the order in which the electoral divisions were placed. The Sub-Commission sat on July 31 and took up the hearing of some of the cases in the order in which they appeared on the list; but time did not permit of all the cases listed being heard at the sitting referred to. The chairman then proposed to fix another sitting during the month; but the solicitors engaged almost unanimously objected to have a further sitting before the vacation, and at their request the remaining cases on the list were postponed until after the vacation.

COUNCIL OF THE INDIAN EMPIRE.

MR. BRADLAUGH (Northampton): I beg to ask the Under Secretary of State for India whether, when the Queen was proclaimed Empress of India at the Delhi Assembly held on 1st January 1877, it was stated by Lord Lytton, then Viceroy of India, that Her Majesty—

"Being desirous of seeking from time to time the counsel and advice of the Princes and Chiefs of India, and of thus associating them with the paramount Power in a manner honourable to themselves and advantageous to the general interests of the Empire,"

as one mark of the notable occasion, on which the Princes and Chiefs of India were assembled together, constituted a Council of the Empire to which, among others, 20 feudatory Princes were nominated; whether the Council has ever met for the transaction of business; and, if so, whether he lay upon the Table of the House a record of its proceedings; if not, whether the Secretary of State will explain why a solemn promise of the Queen Empress has been wholly ignored, and a reform which promised to be of the greatest possible benefit in securing the stability of British rule in India has not been carried out; and whether, in view of the loyal and patriotic spirit displayed by the Princes in making provision for the defence of the North-Western Frontier of India, the Secretary of State will take immediate steps to give effect to Her Majesty's gracious desire to associate the Princes and Chiefs of India—

"With the paramount Power, in a manner honourable to themselves and advantageous to the general interests of the Empire?"

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): At the Delhi Assembly on the 1st January, 1877, the Viceroy appointed 20 Counsellors of the Empress. Of these eight only were natives, 12 being Europeans. The title of Counsellor of the Empress was honorary. The holders were not to form part of any organised body, and were not to be summoned for collective deliberation, though on occasions of emergency consultations between the Viceroy and one or more of the Counsellors might strengthen the hands of the Executive Government. The Council have, according to the original design, never met for the transaction of business; but the Secretary of State has no reason to suppose that successive Viceroys have failed to avail themselves of the advantage of consultation with the individual Counsellors when occasion has arisen for their advice. It is the settled policy of the Government of India to associate the Princes and Chiefs of India with the Government of Her Majesty, and no

more conspicious instance of the success of this policy can be cited than the recent arrangements repecting the Native Armies and the defence of the North-West Frontier.

MR. BRADLAUGH: Do I understand the hon. Gentleman to say that there are now any native Princes and Chiefs who are Councillors?

SIR J. GORST: No, Sir; I did not say so. I said there were eight appointed in 1877.

MR. BRADLAUGH: Are those eight alive now or not?

SIR J. GORST: If the hon. Gentleman wants information upon that subject, perhaps he will give notice and put another question.

MR. BRADLAUGH: I beg to say that, in reference to the answer of the hon. Gentleman to my question, I will renew the subject on the Indian Budget.

THE CHANDALIN MAHARANI OF REWA.

MR. BRADLAUGH: I beg to ask the Under Secretary of State for India whether the Secretary of State is aware that the Chandalin Maharani of Rewa presented in June last a Memorial to the Viceroy of India, setting forth her personal sufferings and the serious grievances endured by her since the death of her late husband, particularly in regard to the control and society of her son the minor Maharaja, and also setting out in detail alleged excessive increase of cost in the management of the affairs of the State without corresponding benefit accruing; and, whether he can inform the House whether any, or what, answer has been made by the Viceroy to such Memorial?

SIR J. GORST: A Memorial of the Viceroy would be, in regular course, dealt with in India, and not forwarded to the Secretary of State. The Secretary of State has, therefore, no official information on the subject. The Maharani of Rewa could appeal to the Secretary of State if dissatisfied with any order passed by the Viceroy on her memorial; but no such appeal has been received.

MR. BRADLAUGH: The hon. Gentleman says that the Secretary of State has no information. Surely the Secretary of State knows officially, or otherwise, that such a Memorial was presented to the Viceroy of India, and if so, is that consistent with the answer given to me the other day in regard to the position of the Maharani of Rewa?

SIR J. GORST: It is quite consistent.

MR. BRADLAUGH: Will the hon. Gentleman cause inquiries to be made as to this particular Memorial, because I shall deem it my duty to raise the question again?

SIR J. GORST: The attention of the Government of India will be directed to the matter by the hon. Member's question.

DECORATING HER MAJESTY'S SHIPS.

COLONEL NOLAN (Galway, N.): I beg to ask the First Lord of the Admiralty if it is true that some Naval Officers are in the habit of painting and decorating the outside of Her Majesty's ships at their own private expense; and, if so, will he prohibit a practice which may constitute a heavy tax on the poorer Officers.

*THE FIRST LORD OF THE ADMIRALTY (Lord GEORGE HAMILTON, Middlesex, Ealing): The establishment of paint material allowed to Her Majesty's ships is sufficient to paint the whole of the outside surfaces three times a year; and, in addition to this, the Commanders-in-Chief are authorised to allow an extra supply when they have satisfied themselves of the necessity for it. I am not prepared to interfere with the discretion of zealous officers in their wish to supplement the allowance at their own expense.

COLONEL NOLAN: Will the noble Lord give a direct answer to the question? He has given a very nice answer, but it has no bearing upon the question. Will the noble Lord kindly answer specifically whether officers do paint?

*LORD G. HAMILTON: I thought I had answered the question of the hon. Gentleman, and had supplemented it with further information. I believe that certain naval officers are in the habit of supplementing the public funds allowed to them for the purpose of decorating their ships, and those most prone to the practice are unmarried men.

IRELAND—THE DUBLIN UNIONS AND THE CATTLE DISEASE.

MR. T. M. HEALY (Longford, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it

would be possible to throw the £8,000 demanded by the Privy Council from the Dublin Unions on the General Cattle Diseases Fund, considering that it was in the interests of the entire country that the Dublin cattle were slaughtered by order of the Privy Council?

MR. A. J. BALFOUR: Even if the course suggested by the hon. and learned Member were deemed advisable, in regard to which I cannot now express any opinion, it could only be carried out by further legislation. But, as stated by my right hon. Friend the First Lord of the Treasury, in reply to a question put to him on July 15, the general subject will be considered by the Government during the recess.

In reply to Mr. SEXTON,

MR. A. J. BALFOUR said: I do not think we can treat this question entirely apart from the general question of how far the Unions are to be made responsible when pleuro-pneumonia is existing in the district.

MR. T. M. HEALY: I beg to give notice that I will call attention to the subject on the Estimates.

SEIZURE OF FISHING NETS.

DR. CAMERON (Glasgow, College): I beg to ask the Lord Advocate whether his attention has been called to the seizure of five fishing nets belonging to Martin Kennedy and Lachlan Curry, fishermen, in Loch-in-daal, on the night July 23rd-24th, by Major Wise, a lessee of certain fishings in Islay; whether it is true, as stated, that the seizure of nets referred to took place half a mile beyond the protected line, and was consequently illegal; whether it is true that a fortnight after the seizure of the nets Major Wise had not lodged any complaint with the criminal authorities, but retained the nets, and refused to deliver them to their owners; and if, on inquiry, it appears that the appropriation and retention of the nets was illegal, in view of the frequency of similar treatment of fishermen by fishing tenants in the Highlands, he will instruct the Procurator Fiscal to institute proceedings in this case?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): Inquiries are being made into the circumstances of this seizure of nets, but I am not yet in a position to answer the question. I would therefore ask the hon. Gentleman to repeat the question next week.

UNITED STATES CONSULAR CHARGES.

MR. OCTAVIUS V. MORGAN (Battersea): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been directed to the leading article in the *New York Evening Post*, of 18th July, on the subject of United States consular charges on shipments from this country to the United States of America, in which it is stated:—

> "No Consular officer makes any mention of the charge of 2s. 6d. for declaration fee in the reports of fees received. . . . It is the gossip that the British notary, as a condition of his selection to be the notary at the American Consulate, divides these large aggregate fees with the Consul, and they go to swell the great perquisites of that officer, of which so much has been heard of late;"

whether he is aware that on shipments from Germany to the United States no declaration fee is charged; whether he is aware that the total amount levied on shipments from this country exceeds £2,500 a year; whether it is a fact that last year the American Consuls ceased charging the fee of 2s. 6d., but that shortly after the appointment of fresh Consuls a few months back the charge was re-imposed; and what steps he proposes to take to relieve British shippers of these unfair charges?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): I am indebted to the hon. Member for sending me the article referred to. According to the information in our possession and the statements of the American Government, no declaration fee is charged in Germany when it is practically impossible to procure the attendance of a functionary qualified to administer oaths. We do not know the total amount levied on shipments in this country; nor are we aware that last year the American Consuls ceased to charge the fee; this, according to what I have before stated, would mean that they had ceased to insist upon the sworn declaration. It does not appear that any change in the existing state of things can be effected without a modification of American Law.

IRELAND—LAW AND POLICE—CASE OF JOHN KINSELLA.

MR. FLYNN (Cork, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will make inquiry into the case of a prisoner named John Kinsella, of Mourne Abbey, near Mallow, who was sentenced to 20 years' penal servitude in August 1882, for a violent assault on John Sullivan, of Kilavullen, during a drunken brawl, and who is now confined in Downpatrick Convict Prison; if he is aware that John Sullivan has been in good health ever since; and, in view of this fact (if true), and that the said John Sullivan signed a memorial in 1882 to the then Lord Lieutenant, Earl Spencer, praying for the prisoner's release, and that Kinsella's aged father, of whom he was the sole support, is now in Mallow Union Workhouse, and, further, that he has already spent seven years in penal servitude, will he bring the case under the notice of His Excellency the Lord Lieutenant, with a view to the prisoner's release?

MR. A. J. BALFOUR: The convict John Kinsella was sentenced with three others for the attempted murder of John Sullivan. They beat him on the head with iron bars and sticks, and left him as dead. I am not aware of Sullivan's present condition of health. No memorial on behalf of this convict was under the consideration of Lord Spencer. Memorials on his behalf, however, were considered by Lord Carnarvon and Lord Londonderry, the decision in each case being that the law should take its course. I cannot undertake to act as suggested with a view to his release.

POLICE PROTECTION—CASE OF JOHN GALWEY.

MR. FLYNN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he has seen the reports in the Cork papers of the 9th instant of a summons for trespass brought by Mr. John Galwey against Mr. John Devane Charleville, County Cork, from which it appears that the summons was dismissed by the Magistrates; is he aware that on the day following the trial, John Galwey went to the field (which was the subject of the summons) accompanied by two police constables armed with revolvers, and assaulted a mason engaged in putting up a gate; and, is he aware that the said John Galwey goes about accompanied by two armed policemen; and, if so, what is the reason alleged for this protection?

MR. A. J. BALFOUR: I am informed that the newspaper report referred to is not accurate, but merely a very imperfect summary of the proceedings. Mr. Galwey summoned Mr. Devane for trespass on a field which he claims as his property, but his right to which is disputed on behalf of the townspeople of Charleville. A *bonâ fide* question of title having arisen, the Magistrates marked the case "no jurisdiction." They did not dismiss it in the sense suggested in the question. The police report that it is not a fact that on the next day Galwey assaulted a mason who was engaged in putting up a gate, but that he put his hand on the gate post and threatened to pull it down. He was accompanied by two policemen, one of whom had a revolver. Mr. Galwey is thus protected when he goes to this field—but not on other occasions.

MR. FLYNN: Is this man Galwey entitled to police protection, and to be escorted by armed policemen, when engaged on the assertion of a private claim?

MR. A. J. BALFOUR: I cannot lay down a general proposition of that character, but it is part of the duty of the police to see that the peace is preserved if they are of opinion that a breach of it is threatened.

In reply to a further question by MR. FLYNN,

MR. A. J. BALFOUR said: I can pronounce no opinion as to the rights of the different parties; I have no opinion.

THE ROYAL UNIVERSITY OF IRELAND.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what is the minimum all round per-centage required to obtain a pass in the B.A. honour course of the Royal University of Ireland; what is the minimum per-centage on any particular subject in cases where the candidate obtains the requisite per-centage on all the subjects taken together; were the papers last year less difficult than this year; were passes obtained this year on a less average than last year; and, if so, why; and, whether, in any case of petition or representation by a

candidate, the Senate of the Royal University directs a re-perusal of his examination papers?

MR. A. J. BALFOUR: The secretaries of the Royal University Report that there is no general all-round standard—the marking varying according to the general character and difficulty of the subject. Neither honour nor pass degrees are awarded on all-round per-centages. The secretaries cannot take it upon themselves to say whether the questions set at the various degree examinations this year were more or less difficult than those set last year, but they are of opinion that degrees were not granted on a lower standard this year. The Senate has not on any occasion found it necessary to direct a re-perusal of the answer of any candidate.

REFUSAL TO HOLD AN INQUEST.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the fact that Dr. M'Grath, coroner for County Tyrone, refused to hold an inquest on the body of a woman named Murphy, who died suddenly at Caledon on 12th July last, and under what circumstances the refusal was made?

MR. A. J. BALFOUR: I am informed that the coroner expressed himself as satisfied that the death was due to natural causes and that no inquest was necessary. As I understand, the police did not consider that there was the slightest suspicion of foul play, although under the circumstances of the death they were anxious that an inquest should be held.

LABOURERS' ALLOTMENTS.

MR. COBB (Warwick, S. E. Rugby): I beg to ask the President of the Local Government Board whether, on 18th July, the honourable Member for the Devizes Division (Mr. Long), as Secretary to the Local Government Board, wrote to the Banbury Board of Guardians, acting as the Rural Sanitary Authority, calling their attention to the unsatisfied demand for allotments at Hook Norton, and to the fact that, under "The Allotments Act, 1887," it is the duty of the Sanitary Authority to provide a sufficient number of allotments by purchase or hire, and, if they cannot be obtained by agreement, to purchase land compulsorily; whether he is aware that it appears from the report in the *Banbury Guardian* of 8th August, that, upon such letter being read, the Chairman of the Board of Guardians said—

> "I would send the Board's compliments to the Local Government Board, and say we are perfectly aware of everything in that letter. It's a most ridiculous letter . . . . We are perfectly aware about the Act. We have read it till we are sick of it;"

whether he is aware that not only at Hook Norton, but at Farnborough, Mollington, Horley, and other villages in the Banbury Union, there still exist admitted demands for allotments, which have repeatedly been urged upon the Sanitary Authority, but which now remain unsatisfied in consequence of the majority of the Authority having refused to put the powers of the Act into force; and whether he will take any steps to induce the Chairman of the Banbury Board of Guardians to treat communications from the Local Government Board in a more respectful manner, and to compel the Guardians to carry out the provisions of the Act, and to provide allotments at Hook Norton, Farnborough, Mollington, and Horley, and in every parish in the Banbury Union in which there now exists an unsatisfied demand for allotments?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. RITCHIE, Tower Hamlets, St. George's): It is the case that a letter was written to the Banbury Rural Sanitary Authority in reply to their statement that there was a desire for allotments by the labouring population of Hook Norton, but that there were considerable difficulties in obtaining suitable land in a convenient position. In that letter it was pointed out that if there was a demand for allotments, and such allotments could not be obtained at a reasonable rent, and on reasonable conditions by voluntary arrangements, it became the duty of the Sanitary Authority under and subject to the provisions of the Allotments Act, 1887, to purchase or hire suitable land which might be available, whether within or without their district, adequate to provide a sufficient number of allotments; and further, that if the Authority could not procure land by agreement for the purpose, they might under Section 3 of the Act apply for

power to put in force the compulsory clauses of the Lands Clauses Consolidation Acts in order to obtain such land. I have no information as to the observations said to have been made by the Chairman of the Sanitary Authority when the letter of the Board was read. The reply which the Board received was to the effect that the Sanitary Authority had endeavoured to obtain suitable land for allotments at Hook Norton, and that they would continue to do so. I am informed that the Chairman has been indefatigable in his endeavours to procure land for allotments, and that at Hornton, with a view to prevent difficulty, he took land himself and let it out in allotments, and further that when some land was offered for sale at Claydon he would have purchased it with the same view had the price been, in his opinion, reasonable. Applications for allotments have been made by persons living at Hook Norton, Farnborough, Mollington, Horley, and other villages in the Union, and I am informed that the Sanitary Authority have made great efforts to procure land for this purpose, but without success. It is stated that, no doubt, allotments would be accepted in the villages if they could be taken in close proximity to the dwellings of the applicants, and at very moderate rents. It is satisfactory to be able to add that, as I am informed, the Act has been the means of calling the attention of landed proprietors to the desire for allotments, and that in several parishes in the Union land has been let to applicants in allotments.

MR. COBB: Do the Inspectors who go down to make inquiries in these cases see any people who are dissatisfied in the matter, or only the authorities?

*MR. RITCHIE: They see all people who, in their opinion, can throw any light on the subject.

MR. COBB: Will the right hon. Gentleman allow the Inspector who goes down to make inquiries to see me before he goes there?

*MR. RITCHIE: No, Sir; that would be quite unusual.

In reply to a further question by Mr. COBB,

*MR. RITCHIE said: On the whole, I believe that the Sanitary Authority endeavoured to do its duty.

LINE OF BATTLE SHIPS.

SIR JOHN COLOMB (Tower Hamlets, Bow, &c.): I beg to ask the First Lord of the Admiralty what was the average total complement, officers and men, of line of battle ships in 1858-9; what was the average total amount of annual pay and allowances of the officers and men of the accountant branch borne in those ships in 1858-9; what is now the average total complement, officers and men, of battle ships; and, what is the average total amount of annual pay and allowances of the officers and men of the accountant branch now borne in those ships?

LORD G. HAMILTON: In order to give the comparison between the pay and allowances of the accountant branch in 1858-9 and the present time I have selected the *Marlborough* and *Trafalgar* as representative ships of the two periods. The complement of the *Marlborough* was 1,100 officers and men, and that of the *Trafalgar* is 536. In the former ship the number of officers and men in the accountant branch was 9, at an annual cost of £1,199; in the latter ship the number is 7, at an annual cost of £1,202.

SIR J. COLOMB: Have not the expenses been doubled?

LORD G. HAMILTON: The expenses are about double per man.

THE SCOTCH FISHERY BOARD.

MR. MARJORIBANKS (Berwickshire): I beg to ask the Lord Advocate whether, since the discussion which took place in December last on the Estimates, the position of the officers under the Scotch Fishery Board has been under the consideration of the Treasury; and, whether it is the intention of the Government, in view of the many and various new duties that have of recent years been put upon them, to sanction some increase to their salaries and allowances?

MR. J. P. B. ROBERTSON: In reply to the right hon. Gentleman, the Memorial of the Fishery Board Officers is under the consideration of the Secretary for Scotland; but in view of legislation which may affect their duties materially in the future, he is not yet in a position to make any recommendation to the Treasury.

IRELAND—THE LIMAVADY SAVINGS BANK.

MR. JUSTIN M'CARTHY (Londonderry City): I beg to ask the Chancellor of the Exchequer whether he has heard any complaints as to the management of the Limavady Savings Bank, to the effect that moneys are paid out sometimes without authority from those whose names are registered as the depositors, and that moneys are lodged in the names of persons without their knowledge, with the object of enabling individuals to have large sums of money in the Bank and at their disposal under various names; and, whether he will order some inquiry to be made?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I have heard no such complaints as those to which the hon. Member refers. If he has any information on the subject and will communicate either with me or with the National Debt Commissioners inquiries shall be made.

MR. HORACE TOWNSEND.

MR. FLYNN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state in what capacity Mr. Horace Townsend acted when he wrote the letter regarding the Ponsonby estate to the secretary of the Land Corporation, Ireland, which contained statements as to the excess of the rents above the value of the land?

MR. A. J. BALFOUR: I have no information on the subject.

GREEN STREET COURTHOUSE.

MR. T. M. HEALY: I beg to ask the Solicitor General for Ireland whether his attention has been called to the observations of the Hon. Mr. Justice Harrison as to the state of Green Street Courthouse, and to the fact that the learned Judge suffered from blood poisoning after a prolonged Assize there; is it the case that for years complaints have been constant as to the unsuitable and unsanitary condition of this Court; that the strongest feeling prevails as to its inconvenient situation; and, will the Government obtain an estimate of the cost of providing for the erection of a suitable Court near or in the Four Courts?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): The facts are correctly stated in the question. I find that the course suggested in the concluding paragraph of the question was taken in 1883 by the Government of the day. The Board of Works estimated the costs of the building, including the purchase of the site, at £40,000. Of this sum the Government agreed to pay £13,500, or a little over one-third. Having obtained Returns of the number of cases entered at Green Street from the city and county respectively, the Government proposed that the remainder of the costs should be borne in the proportion of one-third by the county and two-thirds by the city, and agreed that two-thirds of the amount so contributed should be advanced by the Board of Works by way of loan. The Grand Jury of the county accepted the proposals of the Government, which were also in the first instance acceded to by the Corporation of the city. Subsequently differences arose, into which I cannot enter in detail, the result of which was the proposals were ultimately rejected by the Corporation. A Memorial on the subject has been recently addressed to the Lord Lieutenant by the Incorporated Law Society, and I venture to express a hope that some arrangement may be come to with the Corporation which would enable the Government to carry into effect some such proposal as that which was made in 1883.

MR. T. M. HEALY: As the Corporation of Dublin have to pay the Recorder and other officers who are required to sit in the Court, is not the hon. and learned Gentleman of opinion that they should have some voice in the matter?

MR. MADDEN: That portion of the expenditure which is not borne by the Treasury, is allocated between the city and the county, and it is based on the amount of business contributed by each respectively. I venture to hope that some arrangement may be possible.

LAND COMMISSION—CASES AT ATHY.

MR. T. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that on 13th August the two lay Sub-Commissioners sat for land cases at Athy without the legal Commissioner, who was absent through illness in his family,

and that the professional gentlemen engaged in the cases protested against the arrangement; can he explain why the Chief Commissioner did not send a substitute for the legal Commissioner; is there any precedent for the two lay members of a Sub-Commission deciding legal questions by themselves; and, will steps be taken to prevent a recurrence of this practice when fatality prevents the legal Sub-Commissioner acting?

MR. A. J. BALFOUR: The Land Commissioners report that in the unavoidable absence of the legal Sub-Commissioner, Mr. Kane, two lay Sub-Commissioners attached to his Commission sat to hear cases under a special delegation at Athy on the 13th inst. The Chief Commissioners did not send a substitute for Mr. Kane, as no other legal Sub-Commissioner was available at the time. The two lay members were not authorised to hear cases involving legal questions, which they were directed to postpone until they were joined by a legal Sub-Commissioner. This course has been frequently adopted under similar circumstances. There is nothing either in the Act or the rules to render necessary the presence of the legal member of the Sub-Commission.

MR. T. M. HEALY: Is the right hon. Gentleman aware that great dissatisfaction has been created among practitioners in consequence of the appointment of two lay Commissioners only?

MR. A. J. BALFOUR: That could not be so in a case where the arrangement was entirely by the consent of the parties concerned.

CHRIST'S HOSPITAL.

MR. CAUSTON (Southwark, W.): I beg to ask the Vice President of the Committee of Council on Education when the day school for 400 girls, provided by Sections 64 and 65 of the Christ's Hospital Scheme, approved by the Committee of Council on Education more than a year ago, is likely to be proceeded with; and whether, seeing that middle class schools for girls have lately been approved, one for 250 at Stamford Hill (actually commenced), and another by Scheme 660, for 400 at or near Bishopsgate Without, it is still intended that the said

"Girls' day school shall be maintained in the County of Middlesex at a distance of not more than three miles, measured in a straight line, from the Royal Exchange;"

notwithstanding the great needs of the Metropolis south of the Thames, as set forth in the Memorial presented to him by the 24 Members of Parliament for South London, and which up to the present has been ignored?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The Memorial to which the hon. Member refers did not reach me until the scheme had been sanctioned by the Department. The further progress of the scheme is now beyond the control of the Committee of Council, and must await the decision of the Judicial Committee in respect of those points which were the subjects of the recent appeal.

THE SALVATION ARMY.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the fact that, on the 9th instant, four members of the Salvation Army, who had been convicted of causing an obstruction by preaching in the square at Whitchurch, were handcuffed, and were in that condition conveyed from Overton to Winchester Prison, notwithstanding the protest of the defendants' solicitor to Mr. Joseph Waters, the Superintendent of Police at Kingsclere, who was present; and whether he will take effectual steps to secure obedience to his own declaration that, unless the police had reasonable grounds for fearing the Salvationists would run away, handcuffs should not be used?

MR. MATTHEWS: Yes, Sir. I am informed by the Chief Constable that the fact is as stated, and that the Superintendent, in the exercise of his discretion, handcuffed the prisoners, because it came to his knowledge that the friends of the prisoners had telegraphed to Winchester that they were coming, and he feared a repetition of what had taken place on the 16th of July, on which occasion an escort of police convoying two Salvationists from Whitchurch to Winchester had great difficulty in preventing a rescue of the prisoners by a large crowd of sympathisers. On that occasion a complaint was made to me as to the use of handcuffs, and I called the

attention of the Chief Constable to the declaration quoted, so that he is in possession of my views. I can only lay down general principles for the guidance of the police, who must act according to the circumstances of each case.

CONSERVATIVE REGISTRATION AGENTS.

MR. LABOUCHERE (Northampton): I beg to ask the First Lord of the Treasury whether he is aware that Mr. Charles Panton, an official in the Probate Court at Lincoln, and in receipt of a salary from Somerset House, is the secretary of the Conservative Association of that town, and that he has been in the habit of attending the Revising Barrister's Court at Lincoln as the registration agent of the Tory Party; and whether Mr. Panton is justified, as a Civil servant, in acting as the secretary and as the registration agent of the Tory Party?

*MR. W. H. SMITH: I am not aware what post Mr. Charles Panton holds in the Probate Court at Lincoln, or whether he is or is not a Civil servant; but I have no hesitation in saying that no permanent member of the Civil Service, who is required to give his whole time to the country, should act as secretary or registration agent to any political Party.

TYPHOID IN INDIA.

SIR GEORGE CAMPBELL (Kirkcaldy): I beg to ask the Under Secretary of State for India; (1) whether the Government of India have discovered anything throwing light on the causes of the great spread in Indian European cantonments in recent years of a disease formerly unknown in India—namely, typhoid, and its prevalence last cold season in the camps of exercise at places hitherto deemed the most healthy; (2) whether the disease has at all extended to the Native Army and Native population; and (3) whether anything is being done to combat it, and guard against its recurrence next season?

SIR J. GORST: (1) No, but the latest returns show that the disease received a check. (2) The Native Troops are particularly exempt from the disease. (3) In consequence of the recent epidemic of typhoid fever at certain stations, the Government of India, in March last, appointed a Medical Committee to inquire on the spot into the cause of the disease.

CANADIAN PACIFIC ROUTE TO HONG KONG.

SIR GEORGE CAMPBELL: I beg to ask the Secretary to the Treasury by what calculation it is stated in the Treasury Minute of 18th July that the new Canadian-Pacific route to Hong Kong saves several days, as compared with the Suez route, for postal purposes; what is the present contract time for letters from London to Hong Kong viâ Suez, and what will be the time by the new route, the Atlantic voyage and stoppages included; who are the parties who have continually pressed on the Treasury the importance of the new route for military and naval purposes; and whether the Secretary of State for War and Board of Admiralty have done so; if so, for what particular purposes; what the cost of each soldier or sailor sent by the new route is calculated to be, in addition to the subsidy; and, whether to India the alternative route by the Cape of Good Hope is quicker, much easier, and infinitely cheaper than the Canadian?

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I am afraid that in the desire to be concise the Treasury Minute is not quite so clear as it might be; the saving of time referred to is really on certain sections of the line—namely, between London and Shanghai, and London and Yokohama. The times are: Shanghai—eastern route, shortest 37½ days; longest, 42½; western route, shortest, 30½; longest, 32½; the saving being seven and ten days respectively. Hong Kong—eastern route, shortest, 32½ days; longest, 37½; western route, shortest, 34; longest, 36. To Yokohama—the eastern route is 15 to 18 days longer than the western route; but the P. and O. service is not a contract service to Yokohama. The importance of the Canadian Pacific route for military and naval purposes was urged upon the Government by Members of Parliament, public bodies, and members of both professions, and was one of the factors that led Her Majesty's Government, including the Secretary of State for War and the First Lord of the Admiralty, to agree to the grant of a subsidy. I am afraid that I should be travelling outside the limits

of an answer if I were to specify the purposes aimed at; but their general nature is sufficiently obvious. As regards the cost of the conveyance of troops, I would refer the hon. Member to Clause 9 of the second schedule to the contract. To the figures then given would have to be added the cost of transport to Halifax or Quebec, which would depend on the arrangements that might be made at the time. I believe the alternative route by the Cape might possibly be somewhat cheaper and easier, but certainly not so quick or advantageous in other respects. I believe that a letter was addressed to the Prime Minister in favour of a subsidy, signed by nearly 300 Members of this House, and I am told the number would have been increased if more time had been afforded.

SIR G. CAMPBELL: May I ask on what authority the Secretary to the Treasury says the route to India by the Cape is not shorter and quicker than the western route by way of America?

MR. JACKSON: I do not think I said that.

IRELAND—MOONLIGHTING AT KANTURK.

MR. MACARTNEY (Antrim, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any Report has reached the Government of an attack made upon the house of James Tobin, living near Kanturk, on the 8th August; whether it is a fact that Tobin's son has been working on evicted farms in the neighbourhood: whether any motive for the attack has been alleged; and, whether any persons have been made amenable to justice?

MR. A. J. BALFOUR: The Constabulary Authorities report that a little after midnight on August 7 a large party of men with their faces disguised, and being armed with hurleys, broke into the house of James Tobin, near Kanturk, and assaulted one of his sons and his wife, who received rather a bad cut on the top of her head. The attack is believed to have been made because one of Tobin's sons has been working latterly on evicted farms, and that members of his family are suspected of having assisted caretakers in procuring provisions. Seven men have been arrested.

MR. FLYNN: Is this a district in which the National League has been suppressed?

MR. A. J. BALFOUR: The hon. Member must give notice of that question.

LAND UNDER THE ALLOTMENTS ACT.

MR. JESSE COLLINGS (Birmingham, Bordesley): I beg to ask the President of the Local Government Board whether it is true that the Guardians of the Westbourne Union, Sussex, have taken land under "The Allotments Act, 1887," at a rental of £2 per acre; whether the land was hired from one of the Guardians; and, whether they are charging the labourers of Great Stoughton after the rate of £4 per acre, though the average rent of similar land in the neighbourhood is about 15s. per acre?

*MR. RITCHIE: The Local Government Board have received communications with reference to the land in question, and they directed one of their Inspectors to visit the district with the view of obtaining information as to the facts. It appears that the applicants for the allotments, through the clergyman of the parish, named two particular fields, parts of which they wished to be taken for allotments. These fields were the best land in the parish. The authority assented and came to terms with the tenants, who agreed to give up three acres and two and a half acres respectively. As the tenants were giving up parts of their best fields and what was practically accommodation land, the tithe rent of which was 4s. an acre, the authority considered that they were justified in paying a rent of 40s. an acre. They then appointed a committee to consider what should be charged for enclosing, road making, compensation for crops, and rates and taxes, instructing them to fix a sum which could be maintained before any competent valuer. The committee reported that an additional 40s. per acre should be charged for the extra outlay, making a total of £4 an acre to the hirers of the allotments. Forty shillings an acre for the incidental expenses appears high; but the committee explained that they had taken into account the probability or certainty of some of the allotments being unlet and thrown on their hands.

Upon the facts ascertained by the Inspector, he came to the conclusion that the Sanitary Authority had honestly endeavoured to provide allotments, and that it would be difficult to prove that, under the circumstances of the case, £4 an acre was too high a rental.

MR. JESSE COLLINGS: I beg to ask the hon. Member for the Penrith Division (Mr. J. W. Lowther) whether Mr. Lea, the Trustee of the Broughall Charity land, after being directed by the Charity Commissioners to carry out the provisions of "The Allotments Act, 1882," still declines to take any action in the matter; and, if so, whether the Charity Commissioners have taken any steps to compel the said Trustee to carry out the provisions of the Act, as directed; and whether the Commissioners will forthwith appoint other Trustees for the charity land in question?

MR. J. W. LOWTHER (Cumberland, Penrith): The Charity Commissioners having been informed that up to the 9th of August Mr. Lea had failed to carry out the provisions of the Allotments Act, 1882, served him personally, through their solicitor, with a compulsory order under Section 10 of the said Act. No formal application has yet been made for the appointment of new trustees; but the matter is under consideration, with a view to adopt means for securing the letting of the land in allotments with the least possible delay.

MR. JESSE COLLINGS: May I ask whether in appointing new trustees the Charity Commissioners will consider the propriety of selecting one or more suitable persons from the labouring classes?

MR. J. W. LOWTHER: Yes, Sir; certainly.

DANGEROUS OVERHEAD WIRES.

SIR GEORGE CAMPBELL: I beg to ask the President of the Local Government Board to what kinds of regulations and what classes of nuisances the following provision of the Municipal Corporations Act of 1882 and Local Government Act of 1888 applies, if Local Authorities cannot make bye-laws against dangerous overhead wires across public thoroughfares and dangerous barbed wires along public paths:—

"The council may from time make such bye-laws as to them seem meet for the good rule and Government of the borough (or county), and for the prevention and suppression of nuisances not already punishable in a summary manner, and may thereby appoint such fines not exceeding five pounds as they deem necessary.

*MR. RITCHIE: With respect to nuisances which come within the provisions of Section 23 of the Municipal Corporations Act, it is very rarely that the Local Government are applied to to sanction bye-laws for the suppression of nuisances under the section referred to. One of the most recent cases related to nuisances arising from the burning of bricks or coke within a borough. As regards bye-laws made by a Local Authority for the good rule and government of a borough, these take effect subject to the provisions of the section without any reference to the Board. The Board find from a recent series submitted to the Home Secretary, that they relate to such matters as shouting, &c., for the purpose of hawking goods to the annoyance of the inhabitants, singing or playing any noisy instrument after having been requested to desist on account of illness, loitering about the carriage way or footway of a public street so as to prevent free passage, riotous or indecent behaviour, posting advertisements or handbills on churches, chapels, &c., without the consent of the owner or occupier thereof, &c., &c. Of course, if the Council of any county or borough consider that the circumstances connected with overhead wires, or barbed wire fences, in their district are of such an exceptional character as to bring the case within the provisions of the section as to the good rule and government of the county or borough, it will be open to them to submit bye-laws to the Secretary of State on the subject, who will then give his decision upon the question.

SIR G. CAMPBELL: Am I to understand that the right hon. Gentleman will do nothing to prejudge the question?

*MR. RITCHIE: I am open to consider any bye-law that may be submitted to me.

THE DUBLIN RATES.

DR. KENNY (Cork, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Collector General of Rates for Dublin, or the Auditor of the Local Government Board, has ever made any Report,

either to the Lord Lieutenant or to himself, as Chief Secretary, on certain official irregularities of Mr. R. G. Pilkington, Inspector, in the Collector General's Office, of vacant and otherwise unrateable premises, the irregularities consisting of his giving his official certificate that the rates on certain premises were irrecoverable, when, as a matter of fact, the said rates had been twice paid, once by landlord of premises and once by tenant of same, to a collector of rates, who fraudulently retained them; whether, if no such Report has been made either to the Lord Lieutenant or himself, he will call upon the Collector General of Rates to report on such grave official irregularities as above indicated, and direct a general inquiry into the matter; and, whether the defaulting collector above alluded to was ever prosecuted, or his sureties proceeded against.

MR. A. J. BALFOUR: Neither the Collector General nor the Auditor has made a Report to the Government of the irregularities on the part of Mr. Pilkington other than the Report received from the former in reply to the hon. Member's question a few days ago when it appeared that in the opinion of his Department there was nothing in Mr. Pilkington's official conduct calling for censure. The Acting Collector General reports that a warrant was obtained for the arrest of the defaulting collector, who, however, managed to leave the country before his arrest could be effected. His surety was proceeded against, and has paid the amount of the defalcations in full, together with the costs.

DR. KENNY: Is it the fact that the rates were twice paid on these premises?

MR. A. J. BALFOUR: I believe that something of the kind did occur, but an error of this kind is sometimes inevitable.

DR. KENNY: Was a Report made to the Lord Lieutenant?

MR. A. J. BALFOUR: I have no cognisance of the fact.

NAVAL RESERVE DRILL BATTERY AT BELFAST.

SIR JAMES CORRY: I beg to ask the First Lord of the Admiralty whether money has been voted for the Naval Reserve Drill Battery at Belfast; whether the lease of a site has been arranged with Belfast Harbour Commissioners; and when the work will be commenced?

LORD GEORGE HAMILTON: Money has been voted in the Civil Service Estimates for this year for the erection of a Naval Reserve Drill Battery at Belfast, but the lease of the site has not yet been finally arranged. On the strong representations of the Admiral Superintendent of Naval Reserves the commencement of the work has been suspended for a time, as questions have arisen which might, in the future, render the site a less desirable one for the battery than was at first supposed. Under these circumstances, the Admiralty are of opinion that it would be more prudent to make further inquiries before actually commencing the work.

THE HIGHLAND MAILS.

MR. ANGUS SUTHERLAND (Sutherlandshire): I beg to ask the Postmaster General what is the amount of the annual subsidy paid to the Highland Railway Company for carrying Her Majesty's mails; whether there has been a recent increase of that subsidy, and, if so, what is its date and amount; whether the Highland Railway Company has given an adequate, or any, increase of postal facilities in consequence of such increase of subsidy; whether postal facilities on that part of the Highland Railway system to the north of Tain are not less now than they were six years ago through the withdrawal of the sorting van; and whether he will use his influence to get back for the public of the district referred to the postal facilities which they enjoyed before the increase of the said subsidy?

*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): The payment made to the Highland Railway Company for mail service is now £55,526 a year under an award in arbitration before the Earl of Derby last November. Previously the payment was £43,080 a year. The services for which the higher amount is paid are practically the same as those which existed previously to the award. A greater train mileage, however, has by statutory notice been brought under the control of the Postmaster General. No sorting carriage proceeds beyond Tain, and the postal

facilities of places north of that town are now somewhat less than they previously were. The outlay already incurred in conveying the mails to the North of Scotland is so large that I regret that I am not prepared to incur further expense in providing facilities which the amount of correspondence to be benefited would not warrant in view of the enormous sums now paid to the Highland Railway Company.

MR. A. SUTHERLAND: I will call attention to this matter on the Post Office Estimates.

THE HOLYWOOD FORESHORE.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has observed that the deposit of seaweed enfiltrated by sewage on the Holywood foreshore was described by a medical man, in evidence given before the Holywood Petty Sessions on the 22nd ultimo, as most offensive, sickening, and dangerous, and that the Magistrates dismissed the summons brought by the Belfast Board of Guardians against the landlord, and intimated that they considered it the duty of the Board of Guardians to remove the nuisance; and, whether the Irish Local Government Board may now be expected to take any effective steps in the case for the protection of the public?

MR. A. J. BALFOUR: The facts are as stated in the first paragraph of the question. The Guardians appear to have referred the matter to their solicitor on the 13th instant, to advise as to their liability and power to abate the nuisance complained of.

In reply to a further question by Mr. SEXTON,

MR. A. J. BALFOUR said: I do not know that the Local Government Board have any power to interfere.

EVICTIONS ON THE CLONGOREY ESTATE.

MR. CAREW (Kildare, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is the fact that the Relieving Officer for the Clongorey District was on 6th August served with notices that five families on the Clongorey Estate, against whom decrees for possession of their holdings were obtained at the Summer Assizes, are to be evicted; whether the evictions about to be enforced owe their origin to the non-payment of arrears of rent which accrued due before the fixing of judicial rents; whether Mr. Barrington, the valuer appointed by Judge Darling, the County Court Judge of County Kildare, reported recently that, in his opinion, the rents on this estate should be reduced by 29½ per cent; whether the original demand of the tenants was 30 per cent abatement, and the abatement offered by the landlord 10 per cent; whether Judge Darling, acting on this Report of his Court Valuer, asked the agent in open Court at the last Quarter Sessions at Naas to consent to grant the reductions recommended, and, on his refusing to do so, whether the Judge stayed the execution of the decrees until October, 1891; and whether, having regard to these facts, he will permit the forces of the Crown to be employed in carrying out these evictions?

MR. A. J. BALFOUR: I must ask the hon. Gentleman to postpone the question for a few days.

MOUSSA BEY.

MR. CHANNING (Northampton, E.): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to a statement that a Petition was presented to the Grand Vizier at Constantinople by a deputation of Armenians on behalf of 500 Natives of Moush, temporarily residing in Constantinople, praying for the punishment of Moussa Bey, and that six Armenian members of this deputation have been arrested and thrown into prison; and, whether Her Majesty's Government have inquired into the matter, and received confirmation of all or any of the particulars of this statement?

*SIR J. FERGUSSON: Inquiry has been made, and the report, according to information from trustworthy sources, is without foundation.

ARMENIA.

MR. CHANNING: I beg to ask the Under Secretary of State for Foreign Affairs whether any, and, if so, what steps have been taken by Her Majesty's Government to obtain the release, or, failing that, a fair and open trial of the Armenians, several of them teachers of schools, who were exiled, without trial,

to Tripoli so long ago as 14th March, 1888?

*SIR J. FERGUSSON: It is somewhat difficult to identify the particular case to which the hon. Member refers; but he probably alludes to a case mentioned at page 85 of Turkey, No. 1 (1889), where Her Majesty's Consul at Van reports that the Vali was said to be about to request that certain exiles should be allowed to return home, and three of these exiles are stated to be at Tripoli. As regards the intervention of Her Majesty's Government, Her Majesty's Ambassador is authorised to make representations to the Porte whenever, in his judgment, he can do so with advantage to those concerned; but Her Majesty's Government have no control over the action of the Turkish Government in reference to the administration of the law regarding Turkish subjects.

THE INLAND REVENUE DEPARTMENT.

MR. HAYDEN (Leitrim, S.): I beg to ask the Chancellor of the Exchequer if, in the absence of the so often promised Treasury Minute, he will explain why, after the Ridley Commission had made their Second Report, and before any action had been taken thereon, the Treasury sanctioned a scheme of classification for a subordinate Department of the Inland Revenue—namely, the "Stamps and Stores Department," last November, with salaries largely in excess of those of their colleagues of equal length of service in more important branches; and, if so, whether he is prepared to say that any scheme for the amelioration of the position of the clerks in the more important branches of the Service will date from the same period as that adopted in the Stamps and Stores Department.

MR. GOSCHEN: I have never maintained that no reform in any Department, however urgent, ought to be carried out, until the Government had taken a general decision upon this very valuable Report. The re-organization of the Stamps and Stores Department was rendered necessary by legislation which threw increased work upon that Department, and it seemed better to meet the exigencies of the case by re-arrangement than by simply adding new clerks, and thereby increasing the number of pension-earning Civil servants. The scheme sanctioned by the Treasury was an economical one. It not only provided for the additional work, but effected a reduction of £1,400 a year on the maximum cost of the establishment. With regard to other (I demur to the expression "more important") branches, I am not prepared to give the pledge which the hon. Member asks for. The question of re-organising each separate Department must be dealt with on its own merits as the necessity arises.

DR. RICHARD NICHOLLS.

*DR. KENNY: I beg to ask the Secretary of State for War whether Dr. Richard Nicholls, of Navan, who was for over 17 years Civil Medical Officer to the regular troops stationed in that town, and also for some years Medical Officer to the Meath Militia, has recently, under some new regulation, been deprived of these appointments without compensation; and, whether, considering the length of Dr. Nicholls' service, he will recommend his case to the Treasury for compensation?

*MR. E. STANHOPE: Dr. Nicholls held no appointment. He was employed, as medical men are all over the kingdom, to attend at contract rates detachments of troops when no Military Medical Officer should be present. A Military Medical Officer having been stationed at Navan, the necessity for Dr. Nicholls's service ceased. It has always been a condition of the employment of a civilian medical practitioner that his employment might cease at any time without notice and without the creation of any claim to compensation.

THE LAND LAW (IRELAND) ACT, 1

MR. CHANCE (Kilkenny, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, since the passing of "The Land Law (Ireland) Act, 1887," any applications by leaseholders were heard for that part of County Kilkenny which is in the Union of Waterford; whether notices of application by leaseholders from that district, entered before 29th September, 1887, are still unheard; whether the landlords, in those cases, have exacted the unreduced rents from which relief was sought; and, whether tenants, whose lands are valued at more than £50, have any protection from the execution

of writs of *fieri facias* for the recovery of their unreduced rents?

MR. A. J. BALFOUR: The Land Commissioners report that there are at present 56 applications in leasehold cases to fix judicial rents outstanding in that part of the Union of Waterford in the County of Kilkenny. Of these, 45 were received before and 11 since the 29th of September, 1887. No leasehold cases for the district referred to have yet been heard, as it was necessary to hear a large number of applications in respect of yearly tenancies which had been earlier received. A Sub-Commission is at present sitting in the County Kilkenny, and will, it is proposed, continue its sittings there after the vacation, taking the Waterford Union in its turn. The Commissioners are unaware whether the landlords in the cases referred to have, since the date of the tenants' applications to have judicial rents fixed, exacted the former rents from which relief was sought; but if so, and if these rents are reduced when the judicial rents are fixed, the landlords will have, pursuant to the 5th section of the Land Law Act, 1887, to allow to their tenants the difference between the amount received and the judicial rent for the period which has elapsed since the date of the tenant's application. It has been decided by the Queen's Bench Division that in the case where a tenant's holding or holdings is or are valued at more than £50 a year, the Court has not jurisdiction under the 30th section of the Act of 1887 to stay execution of writs of *fieri facias*.

ELEMENTARY TEACHERS.

MR. CONWAY (Leitrim, N.): I beg to ask the Vice President of the Committee of Council on Education whether, in view of his expressed intention to press upon the attention of the Government a Superannuation Scheme for the benefit of Public Elementary Teachers, he has any objection to give the Return of which notice has been given for to-day?

*SIR W. HART DYKE: I regret to say that it would be altogether out of the power of the Department to furnish the Return asked for. All the information of value which the Department have on the subject is included in the General Report annually submitted to Parliament, and will be found this year on pages 20-22 of that Report.

THE SCIENCE AND ART DEPARTMENT.

MR. CONWAY: I beg to ask the Vice President of the Committee of Council on Education whether the Science and Art Department has fully considered the effect that portion of Regulation 12, printed in italics, page 56, of the *Science and Art Directory* for 1889-90 is likely to have in Ireland, where so few boys can remain at the National Schools until they have passed the second stage of the sixth class; whether the rule up to the present has been for pupils to have passed the second stage of the fifth class before presentation for examination in the principles of agriculture; and, whether the Science and Art Department will re-consider the part of Rule 12, which is specified in the first paragraph, and let the House know the result of such consideration before the Science and Art Vote comes on for discussion?

SIR W. HART DYKE: The rule was modified in the form suggested by the National Board of Education in Ireland in order to meet the objection made by the Comptroller and Auditor General to the duplication of payments in respect of certain children examined in agriculture. I do not think the change will have any ill effect, as the National Board have stated their opinion that the course of instruction in agriculture prescribed in their programme is suitable and sufficient for the pupils of national schools, and the alteration will only affect these pupils.

IRELAND—DUBLIN POST OFFICE.

MR. SEXTON: I beg to ask the Secretary of State for the Home Department whether it is by his authority that letters addressed to the hon. Member for Cork City, including letters addressed to him by his mother, Mrs. Parnell, from America, are opened in the post office; and, if so, whether this is done by a general warrant, or by a particular order for each letter opened; whether it was by his authority that a letter addressed to the Lord Mayor of Dublin by the President of the United States was recently opened in the post office; and, whether this system of opening letters is to be further continued; and,

if so, whether he will enable persons whose letters are opened in the post office to protect themselves by being present, either in person or by deputy, at the opening in the post office of letters addressed to or by them?

MR. MATTHEWS: I beg leave to state, in reply to the right hon. Member, that I have no reason to suppose that any letters addressed to the hon. Member for Cork have been opened in the post office, and I have given no authority for such letters to be opened. The same answer applies to the alleged opening of a letter addressed to the Lord Mayor of Dublin by the President of the United States; but I have consulted the Postmaster General, who informs me that in this case he is making inquiry. There is no system of opening the letters as suggested in the question.

MR. SEXTON: If the right hon. Gentleman has ceased to exercise his functions are we to understand that if letters have been opened it was without official authority?

MR. MATTHEWS: If opened they have been opened without any authority from the Home Office, or, as far as I am aware, from any other Government Department in this country.

MR. SEXTON: Is there any authority to direct the opening of letters but the Home Secretary?

MR. MATTHEWS: In this country only the Secretary of State.

MR. SEXTON: But in Ireland?

No answer.

THE LOWER PROVINCES OF BENGAL.

MR. BRADLAUGH: I beg to ask the Under Secretary of State for India, with regard to the statement of the Secretary of State, in his Letter, No. 937, dated 25th May 1889, to the Government of India, that he had received 66 memorials, letters, &c., from associations, public meetings, and the like, in the Lower Provinces of Bengal, praying for alterations in the Constitution, and to his direction that "the memorialists be informed that their representations will receive the careful attention of the Secretary of State," whether he is now in a position to state his decisions on such memorials?

SIR J. GORST: I am not able to make any statement. The Constitution of India is still under consideration.

MR. BRADLAUGH: But it has been under consideration since the early part of 1887.

SIR J. GORST: The hon. Gentleman must be aware that the Constitution of India can only be altered by Act of Parliament; and when there is a prospect of passing it through Parliament the Secretary of State will embody his views in a Bill.

MR. BRADLAUGH: Does the hon. Gentleman intend to convey by that answer, that the Secretary of State has some legislation in contemplation?

SIR J. GORST: No, Sir; the Secretary of State has no legislation in contemplation. In the present state of public business it would be hopeless to expect to pass a measure through Parliament.

MR. BRADLAUGH: Has that been the state of affairs since 1887?

SIR J. GORST: Yes, Sir.

POSTAGE UPON ORDERS FOR GOODS.

MR. O'DOHERTY (Donegal, N.): I beg to ask the Postmaster General whether orders for goods from Co-operative Stores in London are treated as circulars, and pass at halfpenny rates, subject to the right expressly reserved of keeping them back if there is a pressure of business; whether such orders in any way differ from Railway advices of goods and notices of default by loan fund banks in Ireland, which are held to be letters; and, whether he can see his way to treat both classes alike?

*MR. RAIKES: Orders for goods have no privilege as circular letters, but, provided they are not in the form of letters at all, they have been held admissible at the book-post rate. The railway advices of goods and notices of default by loan fund banks in Ireland, to which on a former occasion the hon. Member has called my attention, are distinctly letters, and, not being circular letters, are chargeable with the ordinary letter rate of postage. I regret I am not in a position to treat the advices and notices referred to otherwise than as letters. But I propose to examine carefully during the Recess the existing regulations with regard to circulars, which in their present form appear to present many anomalies.

THE NAVAL MANŒUVRES.

SIR JOHN COLOMB: I beg to ask the First Lord of the Admiralty whether his attention has been called to the publication of information by certain Press correspondents with the Fleet of information as to the results of trial speeds of ships and disguises to be adopted by certain vessels; and, whether he proposes to take any steps to stop the circulation of information calculated to defeat some of the objects of the Manœuvres?

LORD G. HAMILTON: I have read the statements referred to by my hon. Friend, and I think that they would convey to the Admiral commanding the opposing Fleet information which would be useful to him. I have no doubt that such was not the object of those who wrote the letters referred to, and that their attention having been directed by the question of my hon. Friend to the probable consequences of their indiscretion they will be more careful in the future.

SCHOOLS IN CAITHNESS AND SUNDERLAND.

DR. CLARK (Caithness): I beg to ask the Lord Advocate what has been the result of the reference to the Law Officers in regard to payments under Section 32 (a) to schools in Caithness and Sutherland.

*MR. J. P. B. ROBERTSON: The Law Officers are of opinion that the general terms of the Statute cannot safely be held to authorise the inclusion of other counties than those named in the 67th section of the Act of 1872. The Government are willing to introduce a very short Bill to settle the matter in favour of Caithness and Sutherland; but this can only be done provided there is no opposition, and if we have the help of hon. Gentlemen opposite in enabling us to do it in the short time available.

CROWN RIGHTS TO SCOTCH SALMON FISHINGS.

MR. MARJORIBANKS: I beg to ask the First Lord of the Treasury when it is proposed to appoint the Royal Commission promised by the Government to inquire into Crown rights to salmon fishings in Scotland?

*MR. W. H. SMITH (Strand, Westminster): A Commission will be appointed at once to inquire into the present exercise of Crown rights of salmon fishing in Scotland, and on the coast and in the sea adjacent thereto, and their effect on the preservation and supply of fish, and to report the evidence.

CIVIL ESTABLISHMENTS.

MR. PICKERSGILL: I beg to ask the Chancellor of the Exchequer whether he is now in a position to state definitely when the Treasury Minute respecting Civil Establishments, which was promised on the 26th ultimo to be in the hands of Members in a few days, will be laid upon the Table of the House?

MR. GOSCHEN: I will lay the Minute on the Table this evening. When the House is in possession of the Minute, and sees the numerous and complicated questions with which it has been necessary to deal, there will, I think, be no surprise at the delay in its production.

COMPENSATION FOR CATTLE COMPULSORILY SLAUGHTERED.

MR. H. FARQUHARSON (Dorset, N.): I beg to ask the First Lord of the Treasury, if the Government has come to any decision as to from what source compensation is to be paid in the future for cattle slaughtered owing to pleuro-pneumonia.

*MR. W. H. SMITH: I can only refer my hon. Friend to the answer I gave on the 15th ult. in reply to the hon. Members for South-East Essex and Saffron Walden, which was to the effect that the question would be considered during the recess.

THE COMMISSION ON ROYALTY RENTS.

MR. FENWICK (Northumberland, Wansbech): I beg to ask the First Lord of the Treasury, whether the Royal Commission on Royalty Rents has been finally constituted; and, whether he can state when it is likely to enter upon the discharge of its duties?

MR. OLDROYD (Dewsbury): May I also ask the right hon. Gentleman whether he has received any representations from colliery owners and workmen in the Midland districts complaining of the non-representation of their interests on the Commission?

*Mr. W. H. SMITH: The Commission has been constituted, and includes some representatives of the Midland districts, which it was suggested were not sufficiently represented. The Commission will be gazetted in the course of a day or two.

THE CRINAN CANAL.

Mr. BUCHANAN (Edinburgh, N.): I beg to ask the Lord Advocate whether he is aware that the dues of transit of the Crinan Canal are nearly as heavy as the dues of transit of the much greater length of the Caledonian Canal; whether he will consider whether the dues on the Crinan Canal can be reduced; whether he is aware that the lock gates of the Crinan Canal are not opened to passing vessels by the *employés* of the canal, as is the case on the Caledonian Canal, and that it is the practice of the authorities of the Crinan Canal to insist upon each vessel taking an extra hand on board to open the lock gates, to whom the owner of the vessel is obliged to pay a fee of 10s.; whether this practice is legal; and, whether the authorities of the canal are bound, on payment of the transit dues by a passing vessel, to provide without further charge for the opening of the lock gates?

*Mr. J. P. B. ROBERTSON: The dues on the Crinan Canal are regulated by bye-laws approved by the Commissioners, and are according to Statute. The dues are proportionately higher than those on the Caledonian Canal, owing to the fact that the Crinan Canal passes through no natural lakes, and so requires an artificial water supply. No general reduction of dues can be given; but from time to time reductions are made when it is clearly proved to encourage traffic and to be of advantage to the Revenue. The lock gates are opened by the *employés*, and it is not the practice of the authorities to insist on extra hands being employed, as they are bound to provide for the opening of lock gates without further charge than the payment of dues.

THE TITHE RENT-CHARGE BILL.

Sir W. HARCOURT (Derby): I wish to make an appeal to the right hon. Gentleman the Leader of the House with reference to the business of to-morrow. He was kind enough to consent to a motion yesterday to report progress, in order that we might see the Amendments of the Government to the Tithes Bill. I have had an opportunity of briefly looking at these Amendments, and I find that the effect of them is that of the old Bill two lines remain. But that is not all. In the form in which the Paper stands at present, we have not only the Government Amendments on the new Bill, but also on the old Bill, which still remain, and I have got the two put together as they now stand on the Paper, and they constitute some yards —that is to say, the Amendments of the Home Secretary to the old Bill and the Amendments of the Attorney General to the new Bill. Now, that is not the most convenient form in which we can deal with them, and in the ordinary course it would be the custom of the House that the Government, making material alterations in a Bill, should move formally that the Bill be recommitted, in order to insert the Amendments they desire to insert and to exclude those parts they do not desire to retain. Unfortunately there is an obstacle in the way of that—namely, that all the Amendments upon the Paper are excluded by the ruling of the Chair upon the instructions rejected by the Government. The Chairman of Committees laid it down that nothing could be admitted which sought to lay the burden on the owner only. Now, these Amendments do that. Therefore the whole of the Amendments proposed by the Government are Amendments that cannot be put. In these circumstances I would ask the First Lord of the Treasury at all events not to attempt to go on with the Bill to-morrow. It is quite impossible in a Bill of this magnitude, affecting a great interest and many millions of what has been called, and I think properly, national property, and containing important propositions—propositions to which I have no objection, on the contrary, as far I understand them, I am very much in favour of the general proposals of the Bill.

*Mr. SPEAKER: Order, order! The right hon. Gentleman is now travelling beyond the appeal he proposed to make to the Leader of the House.

Sir W. HARCOURT: I am making an appeal, Sir, to the right hon. Gentleman not to put this Bill down for to-morrow, and I do so now in order that

the Bill may not be met to morrow with a Motion that the Bill shall not be proceeded with. It would be much better if the right hon. Gentleman would arrange to set down other business which at this period of the Session it is necessary to go on with. If the House will indulge me, I will not go into any argumentative matter except to point out that this Bill includes extremely important matter which we should be allowed to consider fully, so that, if necessary, we might be able to put down Amendments. We ought not to be called upon at 24 hours' notice to take this Bill into consideration. It is one of our rules of legislation that we do not deal with property of any kind without giving the owner notice. With reference to this new Bill, I do not speak adversely to its principle. I should be very glad to see that principle carried out; but it is absolutely necessary that the House should be placed at least in as good a position as it would be in after a Second Reading. If I were adverse to the Bill I should certainly demand that we should have a Second Reading discussion, but all I now say is this, that the House must be placed in as good a position as it would be in after the Second Reading of a new Bill—that hon. Members should be able to move such instructions as are necessary for dealing fully with the Bill in Committee. Generally speaking, it seems to me perfectly clear that we cannot go on with this Bill to-morrow. We have no time to put down Amendments which are necessary for dealing with it and, on the whole, these are matters as to which gentlemen ought not only to know what they think themselves, but also, I venture to say, what their constituents think of the provisions of a Bill so utterly novel as this. Therefore I venture to submit to the right hon. Gentleman that it is quite idle to endeavour to go on with Committee on this Bill to-morrow, and I would suggest that he should postpone it, at all events until next week. I would also submit that instead of endeavouring to cobble up a Bill by striking out all except two lines and putting in Amendments, it would be far better to withdraw this Bill and introduce to-morrow a new Bill, and then to proceed to the consideration of that new Bill in the proper manner. That would be by far the most convenient course, because practically we shall have to deal with the Bill in that manner, however the question is put before us.

*MR. W. H. SMITH: It is highly satisfactory to hear that the right hon. Gentleman is entirely in favour of the principle of the Amendments the Government have put on the paper in reference to this Bill. He must, therefore, be most desirous that the Bill should be proceeded with as rapidly as possible. I gladly recognise the extremely kind consideration of the right hon. Gentleman. He has objected that the Government are proposing a new Bill. What the Government are doing is simply this. They are inserting and giving effect to an instruction—a Debate, which was supported by the right hon. Gentleman himself and by almost every Member on that side of the House—an Instruction that the Bill should place the liability on the owner. The right hon. Gentleman in supporting the proposal, obviously saw his way to giving practical effect to it in the Bill, or he would not have supported it. Now, following up that desire he says that it is absolutely necessary to have more than 48 hours to consider a proposal which all who desire that the Bill should be effectual think should be at once ratified by the House of Commons.

SIR W. HARCOURT: The right hon. Gentleman has not quite understood me. What I said was that you must revoke the decision of the House rejecting the Instruction.

*MR. W. H. SMITH: The right hon. Gentleman is, I think, incorrect in his views. I think he will find it is possible for the Committee to entertain the Amendments put on the paper by my hon. and learned Friend the Attorney General. At all events it does not rest with him or me to determine whether that is so or not. It was understood that the Amendment which stood on the paper in the name of the hon. Member for Essex, and several other Amendments which put the liability on the owner, would have been accepted.

SIR W. HARCOURT: The Chairman of Committees laid emphasis on the point that no Amendment which sought to put the liability on the owner would be admissible.

*MR. W. H. SMITH: We shall see when the time comes what the Chair-

man of Committees thinks. I am sure the House will think I should not be justified in responding to the appeal of the right hon. Gentleman. We wish to prosecute this Bill. Hon. Gentlemen opposite have had 48 hours for the consideration of the Amendments of my hon. and learned Friend, because they were indicated as clearly as they could possibly be by my hon. and learned Friend yesterday. They are admitted by the right hon Gentleman himself to be valuable, useful Amendments, involving all the principles required for the settlement of this question, and we shall ask the House to deal with the question, and to deal with it without any loss of time.

*MR. BRADLAUGH (Northampton): I rise to a point of order, Sir. The right hon. Gentleman has just stated to the House that the Amendments now placed on the Paper are Amendments to carry out an Instruction which was defeated by a majority of four. That being so, I ask you whether the Instruction moved by the hon. Member for Malden having been negatived on Monday night, it is competent for the Government to place on the Paper Amendments practically in the spirit of that Instruction?

*MR. SPEAKER: That is hardly a question that ought to be addressed to me, but I do not think the Committee would go back on the Instruction.

*MR. G. OSBORNE MORGAN (Denbighshire, E.): Will it be possible to issue a Memorandum showing the Amendments, and giving a clear idea of the alterations intended to be made in the Bill?

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): For the convenience of Members I have directed that a number of copies of the Bill showing my Amendments shall be deposited at the Vote Office by 5 o'clock.

MR. T. M. HEALY (Longford, N.): On a point of order, Sir, I would put a question to you in reference to a decision of Mr. Speaker Brand in 1880. When Mr. Forster introduced a clause into the Irish Relief Bill as a new means of dealing with relief — namely, that the tenant should be compensated for certain cases of disturbance—the Speaker ruled that a new Bill was required, and a new Bill had to be introduced. Now the House has decided to reject the Instruction carrying out the principle which the Government are embodying in their Amendments. In these circumstances, I ask whether it is not necessary that an entirely new Bill should be brought in which the House may have the opportunity of passing under the ruling of the Chair? And if the Amendments of the Government are proposed, will not the House be deprived of the rulings of the Speaker and —I am not making any complaint—left entirely to the rulings of the Chairman of Committees?

*SIR R. WEBSTER: On the point of order, Sir, I desire to call your attention to the fact that yesterday there stood on the Paper a series of Amendments proposing to change the word "occupier" into "owner," and as far as I could I ascertained these Amendments would not be ruled out of order. The statement I made yesterday was that I should be prepared to accept those Amendments. My present Amendments are to the same effect.

SIR W. HARCOURT: I also rise to the point of order. The Attorney General has missed the point. It was indeed ruled that the word "owner" might be substituted for "occupier," if it was not a matter of being the owner only, instead of the occupier, as an alternative. In the same way the ruling was in respect of distress—that distress could not be struck out of the Bill; it must remain in the Bill as an alternative. But the Government Amendment propose to strike out distress without alternative, and to leave the responsibility on the owner only. But as the right hon. Gentleman insists, I now beg to give notice——

*MR. SPEAKER: Order, order! We must decide upon the point of order first. The hon. and learned Gentleman asks me a question whether an Instruction having been refused by the House, the Amendment might not contravene that Instruction. It will be for the Chairman of Committees to decide when the House is in Committee, whether the Amendments on the Paper are such as can be moved, notwithstanding the refusal of the House to grant the Instruction at an earlier stage. I do not anticipate any discrepancy between the ruling of the Chairman and my own. The Chairman in Committee is within

his jurisdiction and considers what is proper and right, and I have every confidence that he will give a right and fair decision.

MR. T. M. HEALY: Perhaps, Sir, I have not made myself clear. What I wish to point out is that on the occasion of the ruling to which I have referred the House was in Committee, and Mr. Speaker Brand decided that the particular Amendment was outside the scope of the Bill. The corresponding question is—the House having refused a particular Instruction, and the Government having put down an Amendment within the scope of that Instruction—is it in order to submit to the Speaker whether the proposed action in Committee can, as a matter of order, be taken, in view of the fact that the particular Amendment in Committee on the Irish Bill was submitted to Mr. Speaker Brand.

*MR. SPEAKER: This matter is, if I may respectfully say so, rather improperly brought before me. It is difficult to say whether the ruling of my predecessors affords an exact parallel to this case. But, as I have said, I am quite content to leave the matter in the hands of the Chairman of Committees, who will deal with the question when it arises. I do not think that any case has been made out for reference to me as Speaker.

SIR W. HARCOURT: I beg leave to give notice that I shall oppose proceeding with the Tithe Rent Charge Bill to-morrow.

MR. LABOUCHERE (Northampton): I would ask the First Lord of the Treasury whether it would not be more decorous, not to say more decent, as the Bill affects the whole agricultural interests, to wait until the new Minister of Agriculture is present to give us his views of the matter.

MESSAGE FROM THE LORDS.

That they be agreed to—Palatine Court of Durham Bill [Lords] with Amendments.

POST OFFICE SITES BILL [RECOMMITTED]. (No. 377.)

(In the Committee.)

Clauses 1 to 4 agreed to.

Clause 5.

MR. J. ROWLANDS (Finsbury, E.): It is not my intention to divide the Committee in regard to the new clause. I will only say that I think the position taken up by those of us who raised a Debate on the Second Reading of the Bill is at least justified by the action of the Committee upstairs. I am, of course, glad to find that some concession has been made to our demands on behalf of the people of London. I am not satisfied with the extent of that concession; but, under the circumstances, we do not offer further opposition to the Bill.

Clause agreed to.

Bill reported without Amendment, read the third time, and passed.

COINAGE LIGHT GOLD BILL (No. 321.)

As amended, considered (Queen's consent signified); Bill read the third time, and passed.

SUPPLY—CIVIL SERVICE ESTIMATES.

Considered in Committee.

(In the Committee.)

CLASS IV.

Motion made, and Question proposed,

"That a sum, not exceeding £285,376, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1890, for Public Education in Scotland."

MR. HUNTER (Aberdeen, N.): There are one or two points I desire to touch upon before we come to a decision. I observe from the Report of the Department that the Technical Education Act of 1887 has, after its two years' test, proved an absolutely dead letter. I predicted, as the Bill was passing through the House, that it would prove a useless measure. The hon. Member for St. Rollox is, I think, right in criticising the statistics of the Department, in making the comparison with the state of things in 1872. The figures are undoubtedly misleading, and it is worth the consideration of the Department whether they should not in future give the information the hon. Member suggested. There is one other point to which I wish to refer. The Department is very anxious to encourage the attendance of children in schools. The children in Scotland do not go to school at quite so early an age as the children in England. But I find in this Report two statements which in reality neutralise each other.

The first is that the children are too long in going to school, and the second is that they leave school too soon. It is, however, admitted that the children in Scotland acquire all the elements of education, and it is admitted that they learn more in less time than the English children—principally, no doubt, in consequence of the superiority of the Scotch schoolmasters. I regret that children leave school at so early an age in Scotland, but I do not lament the absence of very young children from school. In Germany the age at which children go to school is rather higher than it is in Scotland, and I think that what the children lose in education between the ages of four and seven, they more than gain physically, and they lay the foundation of a healthy education afterwards.

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I understand that it will be for the convenience of this House if I say now the few words that are necessary in reply to the general observations that have just been made. The hon. Member for North Aberdeen (Mr. Hunter) has referred to the enormous field of controversy which was traversed by the hon. Member for the St. Rollox Division (Mr. Caldwell) yesterday. The question raised by the hon. Member for St. Rollox is, after all, only indirectly connected with the present Vote, and arises out of a reference made in the Report to the state of matters in 1872. I can most honestly say that the Report states the facts quite fairly. I do not intend to enter into the matter, because it has been discussed at the instance of the hon. Member for St. Rollox every year since this Parliament met. The very same battles have been fought, the very same accusations made, and the very same answers given every year as would be fought, made, and given now if I entered into the question; and accordingly I must reserve the time at my disposal for answering Members who have spoken at less length than the hon. Member for St. Rollox. The hon. Member for Sutherlandshire (Mr. A. Sutherland) has raised a very important question with reference to directing more attention to class instruction and less to individual instruction than has been hitherto the case. That is not a subject which has escaped the attention of the Department in recent years. A great impulse has been given to class instruction, and class subjects are now receiving a greater amount of encouragement than heretofore. I should say further that all the children in the lower standards are now examined in classes, and not individually.

*MR. A. SUTHERLAND (Sutherland): How high does that go?

*MR. J. P. B. ROBERTSON: In the three first standards there are only class examinations. The Department has the subject fully in view, and will watch for opportunities of further extending the system. An hon. Member spoke on the subject of drawing, and many representations have been made to the Department on the subject, but I must remind the Committee that it is not a question with which the Education Department is chargeable or which arises upon this Vote. It was practically by the choice of those who are locally in charge of education in Scotland that the present system was adopted. I must refer gentlemen interested in the subject to the right hon. Gentleman at the head of the Education Department, because he has charge of it and it does not fall within the present Vote. I am not aware that there is any other separate point which was taken except the one raised by the hon. Member for North Aberdeen. He thinks that the figures with regard to technical instruction are not as hopeful as they ought to be. Let us be just. Five School Boards have in operation the necessary procedure for taking advantage of the Act, and it is necessarily a subject in regard to which we cannot expect a very large number of School Boards to take action.

MR. E. ROBERTSON (Dundee): I rise to move the Motion of which I have given notice, the rejection of the amount set down in this Vote for training colleges. I have already had an opportunity of stating my opinions on this subject, and therefore will content myself with the briefest possible statement. My objections to the present system may in the main be said to be two. In the first place all the training colleges are denominational institutions, though the public school system of Scotland is becoming less and less denominational. In the second place the work which they profess to do would in my judgment be better performed by the national Uni-

versities. The Committee is aware that all the training colleges are denominational, and that the public school system of Scotland has year by year become less denominational. The increase in the number of public schools and the decrease in that of the denominational schools observed in previous years has been continued during the past year. Therefore to maintain denominational training colleges is really to act in a spirit out of harmony with that existing in the schools. The Universities are perfectly willing to frame schemes for conducting the work of the training colleges. Of course it is a matter of opinion whether is is possible for them to do the work or not, and what additional facilities they may require to carry it on properly. I want to call attention to what is said in the Report of the Committee of Council on Education upon training colleges, and I venture to submit that the rather guarded references in that Report almost justify me in inferring that my views are really shared by the Scotch Education Department. There is a certain amount of faint praise of the institutions, no doubt, but on the main points on which I have laid stress, I maintain that the spirit of the Report is really in harmony with what I say. Everything they say about the denominational character of the colleges is of an apologetic character, and they state that they are denominational only in name and not so in character and effect. I want to know why they should be denominational in name even, seeing that it is an excellent thing in the eyes of the Education Department that they should not be denominational in character. It appears that these denominational institutions, whatever virtues they may possess in the eyes of the Church, make no successful appeal to the pockets of the churches. As to the question whether the Universities could be usefully employed in connection with this work, I venture to submit that the Report of the Committee of Council is very much in my favour. It lays stress on the encouragement given to the University education of teachers, and indicates clearly that that encouragement will be continued. It also refers to statistics as showing that "not a few of the future Scotch teachers are acquiring some higher culture" in a sphere larger than that of any institution devoted to training alone. Having admitted the desirableness and the necessity of this higher culture in the case of a limited number of students, the Department ought, instead of limiting opportunities in this way, to throw the benefit open to all the students. The Universities have no doubt as to their competency to undertake the work, and, as I have already stated, some of them have prepared schemes which, as far as I have examined them, seem to be perfectly fair. I regret that the date at which we are discussing this matter is so late that there is very little hope of obtaining the opinion of the Scotch Members as a whole. In some other Session, however, I hope we shall be able to raise the question in a more effective fashion.

Motion made, and Question proposed,

"That Item H, £28,706, for Annual Grants to Training Colleges, be omitted from the proposed Vote."—(*Mr. Edmund Robertson.*)

*MR. C. S. PARKER (Perth): I concur with my hon. Friend in regretting that so small a number of Members should be present for the discussion of this interesting question, and especially that there is so small a number from Scotland. The chief difficulty I find in replying to my hon. Friend's attack is that he has referred us to arguments which he has used in former years, but has, with great consideration for the time of the Committee, been exceedingly brief in stating those arguments. The first of them was that the Training Colleges are denominational, whilst the system of education in Scotland is almost entirely undenominational. I admit the force of that argument, but I think it is overstated. I think those who closely examine the system of education in Scotland can hardly deny that there is still a very large denominational element. There is the teaching of religion, and although each School Board in Scotland can do as it pleases in this matter, there is almost invariably a working majority in favour, not only of teaching religion, but also of teaching the old Westminster Catechism. It can hardly be denied that in this respect the schools favour one denomination. I may mention an illustration as having come under the notice of the Committee upon which I had the honour to serve. We had a

complaint brought before us from the Episcopalian Training College, that when they had trained their teachers they could not as a general rule get one of them accepted in Scotland. The Episcopalian schools are usually too poor to employ trained teachers and the Board Schools will not employ Episcopalians, so they have to go to England. So far, therefore, the Scotch Estimates are bearing the cost of training teachers for England. Presbyterian denominationalism is so strong that no Episcopalian would be allowed to teach a Scottish Board School. The other side of the question is that the Training Colleges are much less denominational than is generally supposed. The Committee took evidence from teachers, Inspectors, Training College Authorities, University professors, and others interested in the subject, and they all of them seem to agree in saying that there is next to no denominationalism. The management, no doubt, is entrusted to a particular Church. But members of all Churches attend the Training College, and even serve upon its staff. In fact, it appears that in choosing, say, an Established Church College in preference to a college of some other religious body, the students are influenced by companionship, and considerations of that kind, rather than by regard for denomination. The difficulty I find in attaching much weight to my hon. Friend's authority is, that he has not supplied the want which we find to exist of an alternative system for giving teachers adequate professional training. I do not remember that either on this or on any former occasion he has developed his views—at any rate, so far as he has done so, they are views which nearly all Educational Authorities in Scotland hold to be impracticable. The hon. Member seemed to draw a distinction between the tone of the Report of the Committee of Council this year, and the tone of the Report of the Departmental Committee. I do not know whether he thinks that the two are at variance; but if hon. Members care to consult the Report of the Departmental Committee on Training Colleges they will see that, on the contrary, it laid the foundation for the action taken by the Education Department this year. The first recommendation, no doubt, is that professional training should be conducted in establishments set apart for that purpose; but it is added that, in order to avoid professional narrowness, it is desirable to combine that training, as far as possible, with a liberal University education. That was the desire of the Committee; that was their recommendation; and the Department states that, in consequence of that recommendation, they are giving further opportunities in the Training Colleges to all who are qualified to profit by University training. But the hon. Member is not content with this. He says that the whole of the teachers should attend the Universities. Let me remind the House how the matter stands in foreign countries. We think a great deal of the German and Swiss systems, but I am not aware that in any country the training of teachers in the Universities is carried anything like so far as it is in Scotland. My hon. Friend spoke as if Scotland were behindhand in this respect, but, on the contrary, I say that Scotland is the one country in Europe which possesses teachers who combine—many of them—University degrees, and more of them some University teaching, with their professional training in the Training Colleges. Now, let me look at the feasibility of the system recommended by my hon. Friend as a whole. We have female teachers, as well as male teachers, who have been pupil teachers in the ordinary schools of Scotland. Can it be contended that the Universities are at present equipped with the requisite machinery for teaching to young girls of that age and class geography, arithmetic, English grammar, singing and sewing? I should be happy to see these girls attending University classes, but many of them are so far below the University standard that it would be useless to send them there, and the same remark applies to many male teachers. You cannot get the candidates to come up to that standard. The Universities do not teach arithmetic, geography, English grammar and the sol-fa system, and you would require a special staff to do it; and even if you had that special staff the instruction they would give would be less practical than what the teachers get in the Training Colleges. The hon. Gentleman has said the Universities are willing

to undertake this work. But the Departmental Committee conferred with all the Scotch Universities. Those of Edinburgh and Glasgow were not willing. There was no such proposal from those Universities, although there were proposals that the students in training should be set more free to attend University lectures. There had been a proposal that the University of Aberdeen should itself train teachers. We went into the matter with the professors, but, on the whole, the conclusion arrived at was that the University did not see its way to undertake the training unless more favourable financial considerations were allowed than the Government were likely to entertain. St. Andrew's is the one University which is prepared to train teachers, male and female, for the ordinary schools, and, for my part, I should be glad to see the work entrusted to this University. I have pointed out to the Principal of St. Andrew's and to those interested there that there is a recommendation of the Committee on which they may found a claim. It is true that in the body of the Report the Committee did not see their way to recommend direct grants to one of the Universities as a Training College, but the principle was laid down that if any other body should come forward and make themselves responsible in the way that the Training College Authorities do —especially if they assumed financial responsibility—it should have a share in the training of the teachers of Scotland. I should be delighted to see St. Andrew's, in connection it might be with Dundee, organise a Committee and frame a scheme by way of experiment, and if it succeeded, it might then be extended. But it seems idle to propose at present that all teachers should be University men. The country will not go to that expense. I believe that in Scotland we have already more training of elementary teachers at the Universities than is to be found in any other country in Europe, and I do not believe the Universities are willing to undertake more; while if we were to press more upon them I am afraid it would be found that the Universities would become less efficient for the higher purposes which they now subserve. All countries that stand high in regard to education find that an important part of their system is in the creation of teachers; but you cannot create teachers without a special training. It is generally admitted that a young man from a University, whatever honours he may have obtained, when made a School Inspector is not always found thoroughly to understand his work, and the same is true of teachers trained in Universities only. I trust the Department will maintain, but also improve and liberalise the present system of professional training for teachers, combining it as far as may be practicable with attendance in University classes.

*DR. MCDONALD (Ross and Cromarty): We have heard a good deal about the teaching of religion in the Scotch Colleges, but the hon. Gentleman who has just spoken knows as well as I do that we have three religious denominations in Scotland—namely, the Free Church, the Established Church and the United Presbyterian Church, and if any one can say that the definite limits of either of these three religious bodies are being taught in any of the schools in Scotland I reply that he is mistaken, and that that is not the case at all. An inspection of our public schools will show that there is really no difference in regard to religious teaching as between Free Church and Established Church. It is to be said that the schools are denominational, because the catechism is taught in them, inasmuch as the catechism is purely Protestant, and applies equally to all three denominations.

*MR. C. S. PARKER: I did not for a moment intend to convey that there was denominationalism as between the Free and Established and the United Presbyterian Churches; but there is as against Catholics and Episcopalians.

*DR. MCDONALD: Certainly, they are denominationalist as against Catholics and Episcopalians; but we have hardly any Catholics or Episcopalians in Scotland. Well, the hon. Gentleman talks about denominationalism in the School Boards, and the same answer applies there—namely, that there is really no difference between the Free, Established, and United Presbyterian Churches. There can be no doubt on this point. A great deal has been made of the professional training which is given in these Training Colleges or normal schools, as we call them in Scotland. I myself have been

there, I am sorry to say it is now more than 20 years ago, and I know that at that time they did their work admirably. All the time we devoted to profeesional training was about two or three hours a week; the rest of the time was devoted to the ordinary education given in the secondary schools. But now these schools are to be met with all over Scotland, and especially in the large towns; hence the non-necessity for the higher education which is given in these colleges, the reason for supporting them being as great again then as it is now. Again, we have been told about the bursaries being lost, if given to students in the Universities or in Secondary Schools. The fact is, that they have got into the same position as that in which we find the students in the Training Colleges. We cannot compel these to become teachers. They leave the Training Colleges (though I believe they are now compelled to give two years' teaching) and then they may go away just as those who leave the Universities and in the same way be lost as teachers of education. With regard to the female students, there certainly is a difficulty in their case, and I think it would be found better to keep up one or two Training Colleges for females alone. I have before spoken about the denominational schools, called Free Church Colleges and Established Church Colleges, in Glasgow and Edinburgh. What do we find? Why there are two of these colleges within 200 yards of each other, each maintaining a large staff, so that a double amount of money is expended. Does anyone imagine that the tenets of either the Free or the Established Church are taught within the walls of those Training Colleges? If not, why do we waste money in the keeping up of two large schools which differ in name and in nothing else, when both might be put into one building and served by one staff? I would suggest that this would be a good way of reducing the expenditure on these denominational colleges, in which, at the present time, there is a great waste of power and a large waste of money. This, I think, would be a good and proper beginning.

SIR G. CAMPBELL (Kirkcaldy): I understood the hon. Gentleman the Member for Perth (Mr. Parker) to apologise for these denominational schools, but I think the result of his statement goes far to confirm the view which many of us here entertain. He tell us that the pupils from the Episcopalian Training Colleges do not teach in Scotland, but go away to England, because there is no demand for them in Scotland. With regard to what has been said about the other colleges, I have more faith in my countrymen than to believe they are as bigoted as the hon. Gentleman supposes them to be. I cannot believe that our School Boards are so bigoted that a teacher who does not profess the form of religion they affect is not likely to be employed by them. I refuse to believe this. I may say with regard to candidates for Parliament, as to whom my experience has a wider range, the constituencies do not show themselves particularly ready to refuse a man because he is an Episcopalian. I know a great many Episcopalians who represent Scotch constituencies. It is my belief that if ever there was religious bigotry in Scotland it is softening down and gradually disappearing, and in point of fact it can hardly be said to exist at the present time. It may be that the catechism to which allusion has been made is still nominally taught in the colleges; but it is not likely to subsist very long. Public opinion in Scotland will pull all this down. On general grounds I quite agree with what has been said by the hon. Gentleman the Member for Ross-shire, who has pointed out the waste of power, and the unjustifiable expenditure of money for denominational colleges, that are placed side by side in Edinburgh and Glasgow. I do not want to abolish these denominatonial colleges; but I wish to see a system of education in Scotland which shall be national, and also Training Colleges which shall be under the control of the Government. I am not so clear as to the argument of the hon. Member for Dundee, that you ought to transfer the school teachers to the Universities. I am not a very strong believer in the higher culture of the Universities. I think it would be a very great deal wiser to maintain the Training Colleges on a modernised basis, and to give our teachers the training which will fit them for the public schools and enable them to give instruction in the natural sciences and

useful arts in which our schools are to some extent deficient because of the deficiency of the schoolmasters. I admit that something must be done to improve the Universities of Scotland, though I sympathise with what was said by the hon. Member for Perth. The University of St. Andrew's has several very excellent professors, but somehow or other they have never succeeded in the training of schoolmasters. The Duke of Argyll and others tried to popularise the University of St. Andrew's, but they were not able to do so; still I think it might be so modernised as to make a charming University where could be combined the training of young women with the training of young men to fit them as teachers in the highest standards. I do hope the Government will tell us that they intend to get rid of this, to a certain extent, obnoxious denominational system of Training Colleges, and that they will substitute for it a system which is more rational.

*MR. J. P. B. ROBERTSON: The action of the Government towards these Institutions has rested upon most intelligible grounds. Nobody suggests that *d priori*, or as a matter of theory, there is any necessary connection between the denominationalism of the country and the Training Colleges. We must take things as we find them. We find that there are Training Colleges which are doing their work to the satisfaction of the School Boards. And I emphasise that by saying that it is never to be forgotten that School Boards in many parts of the country almost invariably choose the students of those Training Colleges as teachers. It is suggested that the Universities should take up this business of the training of teachers. As a matter of fact they do not do so, and we have to look to the Training Colleges which are actually existing and which do this work. As to the denominational character of the teaching, the report of the Department is absolutely accurate. There is no shadow or trace of denominational bias in the training of our teachers. I understand that the action of the School Board is very impartial, and they take either the students of the Free Church or the Established Church. There is no overlapping of the work between these different Institutions, and the supply of teachers they send out is not in excess of the requirements of the country. I do not see that any good would be done by throwing the two Colleges into one in Edinburgh and Glasgow. As to the Universities, if you ask them to undertake the training of teachers, the fact of whether they may or may not be adapted to the work is a matter to be watched for the future. Be it observed that the Department have of late years given great and increasing encouragement to the students to attend a University by giving the Colleges allowances to send them there in the third year. Although, therefore, the system of these Training Colleges in the abstract is not perfect in theory, good results come from it, and the money paid by the State is well spent.

MR. MARJORIBANKS (Berwickshire): Mr. Courtney, we have had so far to apologise for this present system of denominational training. It is very easy to understand the ground on which the right hon. Gentleman defends these institutions. He falls back on the position that "we must take things as we find them." These Colleges are denominational at the present moment; therefore we must not do anything to reform them. If he held out any hope that denominationalism would be got rid of, my view might be changed; but he is prepared so long as he is in authority to maintain denominationalism in the Training Colleges. I do not understand the attitude of my hon. Friend the Member for Perth. Are we to understand that he favours denominationalism? Does he defend these Colleges because there is so much denominationalism in the system of education in Scotland? At any rate, he might have gone this small step with us and protested against this system of denominationalism being kept up. It is perfectly true that these Colleges are kept up at a very considerable and unnecessary expenditure to the taxpayer, because you have in one place two or three different training colleges maintained where one would suffice. The fact that there is no shade of difference, practically speaking, between the principal Churches of Scotland is an additional reason why the Government should not encourage denominationalism by sanctioning the maintenance of denominational Training Colleges in different centres.

*Mr. A. SUTHERLAND (Sutherland): Sir, I was rather astonished to hear the argument used by the Lord Advocate, that, because these Training Colleges exist, therefore we are bound to carry them on. That argument might have been applied in favour of continuing the old parish schools at the time of the Act of 1872. I think the whole argument lies in the waste of money involved in keeping different colleges in close proximity. I have no objection to these Training Colleges, and think they are doing the work imposed upon them. At the same time I do not agree with my hon. Friend (Mr. E. Robertson) that the Universities are qualified to do the work of training teachers. The work of the Training Colleges is well done; but that is no reason why it should continue to be done by the denominations. It is all very well for the Lord Advocate to say that there is no connection between the schools and denominations in the colleges; but my experience has been that teachers from a Training College have got appointments simply because they belonged to a certain Church. I vote for the Amendment as a protest against these institutions being carried on, really, as I understand, at a profit. The whole of this money for the maintenance of these colleges is public money, not supplemented to any extent by money derived from the denominations. I do not say that the money has not been economically spent, or spent in the best way; all I wish to do is to make my protest against the continuance of this system. If I saw any disposition to put an end to it I should be content to give them an opportunity. But no such policy has been manifested by the Scotch Department, and, deprecating the absence of such a policy, I shall support the Amendment of my hon. and learned Friend.

*Mr. HUNTER: Sir, there is one point which has not been brought before the Committee. The Schoolmasters' Association in the North of Scotland is a body of as excellent, intelligent, and successful teachers as there are in Scotland; and it is their unanimous opinion that it is most desirable to make the Universities training schools for teachers. We are agreed that the Universities at the present moment have not the machinery of Training Colleges; but it is suggested that it is possible, if they are encouraged, for them to find the means to give effect to the principle laid down in the statement for the University of Edinburgh; that the teaching, like all other of the learned professions, ought to be provided for in the University curriculum. One reason why my hon. Friend has brought forward his Amendment is that we are anxious to impress upon the University Commissioners the propriety of directing their attention to this subject. At present the Education Department spend £30,000 a year on Training Colleges in which there are only 860 students being taught. The number of the students in the Scotch Universities, on the other hand, amounts to over 6,000, yet the cost to the nation is no more than the expenditure on the Training Colleges. The teachers in the North are very anxious that some portion of this money should be given to the Universities under a properly devised scheme. It would be entirely impossible for the Universities to undertake the work with their existing funds. If the change were made, a great saving would be effected to the public exchequer, because, whereas each student at present costs the nation £35, the cost under the Universities would be very much smaller for obtaining an adequate supply of teachers. Another consideration which weighs with the teachers in the North of Scotland is, that the status and pay of teachers would be raised. The State at present tempts a certain number into the teaching profession by giving them a gratuitous education. In that way the salaries of teachers are depressed below a proper level, and the consequence is that School Boards find that they can get certificated teachers from these Colleges at a rate at which they could not hope to obtain them, had the students to pay for their education as in all other professions. I cheerfully admit, from a secular point of view, that the Training Colleges have done their work in a perfectly satisfactory manner according to the standard set before them. And I admit that it was perfectly inevitable we should have had them, because there was no other machinery for the training of teachers. It is to be regretted that the Universities did not undertake the work earlier, but I hope they are in a more re-

pentant mood, and are willing and anxious to discharge what is their true function. I hope that the University Commission will be prepared to recommend to Parliament that some portion of the money now given to these Training Colleges should be given to the Universities, which would do the work much more cheaply, and give the teachers a much higher status and better training than they get at present. The hon. Member for Perth imagines that ladies could not possibly enter the Universities. That is really an antiquated notion. The attendance of ladies at college is so familiar that I should have thought the hon. Member would not have been startled by the suggestion. Certainly the attendance of ladies at colleges has an effect both beneficial to themselves and to the young men who attend. My hon. Friends the Members for Perth and Inverness were the only two Scotch Members of the Committee, and, on reading their Report, what convinced me there was something weak in the position of the Training Colleges was their statement that in the Universities it was impossible to give close attention to the moral and religious training of the teachers. Now, if they could have put forward any tangible result of this training in the colleges, certainly they would have done so; but they have not, and have fallen back upon language vague and obscure. Another objection is that the students are not qualified to attend the University classes. That would be so, if they were asked to attend the whole of the curriculum. But what we suggest is that a special faculty, or course, shall be prepared, alongside medicine, law and divinity, called the faculty of education. That, I think, is the true course which reform should take in Scotland. I can only say with regard to the remarks of the Lord Advocate that I think they show he is open to receive impressions, and to consider the whole state of the case, and I hope we shall find him joining in efforts to enable the Universities to train teachers.

*MR. S. SMITH (Flintshire): Mr. Courtney, perhaps I may be allowed to say a few words. I think on this side of the House more stress than is warranted has been laid by some hon. Members on the description of Training Colleges as "denominational." In Scotland there is little or no difference of religious principle between various denominations. We should bear in mind that it is always desirable that those who are to train the young should themselves be brought up carefully and religiously. These is one other observation I would like to make. It has been said that the Universities are capable of giving all the education that those who intend to be teachers required. I am very strongly of opinion that it is not so. The great difficulty is to know how to impart knowledge to others, and I believe that those who intend to take up teaching require special training. Again, I am bound to say that the supervision exercised by the University Authorities is not sufficient. In my time, as long as a young man attended his lectures they did not care what became of him. The consequence was that many of the men who were at the University with me made sad failures in life. I consider it very important that young men and young girls at the impressionable ages of 15 to 18 should be under some sort of supervision, and that supervision will be best obtained at the hands of religious bodies.

MR. ILLINGWORTH (Bradford): I must apologise to Scotch Members for interfering in the Debate at this stage, but as my hon. Friend has broken the ice I will follow him. In the first place, I may be allowed to say that I do not think my hon. Friend is a bad specimen of the training of the Scotch University. In the great Universities of this country, when they were *par excellence* religious Institutions, there was as large a percentage of failures as ever came out of the Scotch Universities, where no regard is supposed to have been paid to the religious welfare of the students. The English people are conscious that upon educational, as well as upon other matters, Scotland always leads the way for Great Britain, and when the subject now under discussion is definitely settled it will be easier for England to follow in the wake of Scotland. These separate Training Colleges are kept up on the one side for the purpose of getting quit of the Establishment, and on the other for the purpose of maintaining it. Why cannot the Presbyterians of Scotland combine, seeing there is really no difference in their religious tenets? The case for the

Training Colleges in Scotland is weaker than it is in England, where it is considered of the first importance that doctrinal differences should be recognised and emphasised. In Scotland no effort of the kind is necessary, because they are all of one opinion. For my own part I think the Universities would be eminently qualified to do the work which is now being done by the Training Colleges. I believe much harm is done in this country to young people by compelling them to recognise denominational differences. I think Scotland is quite right in demanding this change, and it cannot be long before it is conceded.

MR. E. ROBERTSON: I have to thank, on behalf of Scotch Liberals, the hon. Member for Bradford, for having, by taking part in this Debate, added another to the many debts we owe him for his fearless, long continued and consistent advocacy of Liberal principles. Sir, this Debate has sounded the death knell of denominationalism in Scotland, particularly after what has fallen from the Lord Advocate. He said that we were not dealing with these Institutions *de novo*, which is an abandonment of the entire principle on which they are founded. He went on to say that these Colleges are kept up by denominational Institutions. But what I want to point out is this, that they are kept up, not by the denominations, but by the public money. The right hon. Gentleman said the Universities are not ready to train teachers. Of course they are not. He knows that they cannot be expected to be ready so long as the State keeps these Training Colleges at its own expense. The hon. Gentleman (Mr. S. Smith) has quoted the Member for Perth in support of the denominational character of these Institutions, and I can only hope he will not think me rude when I say that I am glad he is not a Scotchman. The hon. Member for Perth made one significant remark. He said:—

> "If you take away the money and give it in the shape of bursaries to the Universities you will have students who had entered to be schoolmasters going into other professions."

That observation expresses what used to be the spirit of the Privy Council's system; but I feel pretty sure that the Scotch Educational Department are too liberal to be prompted by such a spirit, which would mean that you would deliberately mutilate the training of young men in order that they should not be fitted to enter any other profession than that of teaching. There is most force in the objection of my hon. Friend (Mr. A. Sutherland), that the Universities cannot do this work. But I do not propose that they should undertake the work without special provision being made for them. I do not see why the business of the Training Colleges should not be brought within the University system, just as is the professional training of lawyers, ministers, and doctors. Now, my hon. Friend expressed some little doubt about the value of University training. I am deeply impressed with the high value of University training, and I believe that the Universities, both in England and Scotland, afford by far the finest and best intelleetual training that anyone could have. What I object to is this—that you should divorce those who are to teach the children of the country from this higher intellectual culture. It is not the mere Degree which gives this University training a high value. It is rather what I may call the moral education and intellectual culture obtained, not so much in reading for the Degrees and in listening to the lectures, as in the common membership of the University system. It is not what the professors teach the students that is valuable in University life, but it is what the students teach each other. If you insist upon excluding schoolmasters to whom the destinies of the children of the future are to be entrusted, I think you will be inflicting a grievous harm upon that body. I believe that the people of Scotland at large are entirely in sympathy with the stand which is now being made for the freeing of the Training Colleges from all connection with denominational schools, and enabling schoolmasters to share in the higher intellectual culture already provided for in the Scotch University system. I do not intend, neither do I desire, that the already overgrown Universities of Edinburgh and Glasgow should be swollen by a further accession of students through transferring to them this work of training. I think those Universities are already much too large, but I have always held that the smaller Universities, such as St. Andrew's and Aberdeen, are perfectly competent to undertake this work. I know that

Aberdeen and University College, Dundee, are desirous to undertake it, and I believe that, under proper management, these three Institutions could easily take over the 860 normal scholars and perform the work of training them quite as well as it is being conducted under the sectarian system.

SIR GEORGE CAMPBELL: I want to clear up one point. I understand that the sum to be devoted to the Training Colleges is considerably in excess of that voted last year, and I am told that if we did not take advantage of these Institutions we should have to pay a great deal more. The hon. Member for Dundee asserts, however, that the denominations contribute nothing towards the expense of these schools, but that on the contrary they make a profit out of them. I should like to know if it is so, and if the schools are maintained solely and exclusively at the expense of the taxpayer. Again, I find that every pupil trained in these schools costs £35 per year. That seems to me to be an enormous expenditure, and if that is to be the result of a system of maintaining two or three denominational colleges, all I can say is that it is an abominable abuse, even from a financial point of view. I again ask, do these denominational bodies contribute towards the expenses of the colleges.

*MR. ANGUS SUTHERLAND: The hon. Member for Dundee seems to think that I, in my observations, depreciated the value of University training. Now, if my remarks seemed to do that I wish at once to say that it was not my desire to convey that impression. I should like to point out to the hon. Member for Kirkcaldy, when he refers to the cost of the pupils in these Training Colleges, that the sum of £35 represents much more than the mere cost of education, and that the cost of living is included.

*MR. J. P. B. ROBERTSON: The answer to the remarks of the hon. Member for Kirkcaldy may be stated very briefly. It is that the amount of the grant is 75 per cent of the approved expenditure.

DR. CLARK (Caithness): I am going to support the Amendment of my hon. Friend the Member for Dundee, because I hold that the course now taken by the Education Department in certain matters makes it desirable that the present system should be altogether abolished. At the present time a teacher who is certified by these Training Colleges only earns a Government grant of 4s. per head for all pupils he passes in scientific subjects; whereas if the teacher is a University graduate the Government grant in such cases is 10s. per head, although the pupils pass exactly the same examination. It is hard that teachers who get practically the same qualification should thus be handicapped in the matter of Government grant for scientific subjects, and I think the difference ought to be done away with. My hon. Friend seems to think that the students in Training Colleges are boarded and lodged there. As a matter of fact, the student is treated in exactly the same way as a University student. He lives in lodgings. He goes to his class and back again, and nobody takes any more notice of him.

The Committee divided:—Ayes 75; Noes 146.—(Div. List, No. 307.)

Original Question put, and agreed to.

(2.) Motion made, and Question proposed,

"That a sum, not exceeding £12,888, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, for Grants to Scottish Universities."

MR. HUNTER: I move to reduce this Vote by a sum of £1,316, the amount proposed to be paid to Professors of Theological Chairs in the Universities of Scotland during the current year. I wish to call the attention of the House to the extraordinary expense connected with the education of divinity students. The sum at the disposal of the University of Aberdeen for divinity students is £1,921 a year. Taking an average of three years, this amount has been spent in the education of about 30 students, so that each student costs no less than £62 a year. The medical endowments are smaller than those for divinity; but the number of students in medicine is more than 10 times the number of divinity students, while the cost is only £4 16s. per student. In St. Andrew's University the endowments for divinity amount to £1,800 a year, the number of students, taking an average of three years, being 33, so that the cost is £56 5s. per head.

This seems to be very exorbitant, but the difference is still more striking in the case of Edinburgh University. The University of Edinburgh has an income of £1,944 for divinity and the mumber of students was 107; while the endowments for medicine amounted to £1,766, the mumber of medical students being 1,879. So that the cost per medical student is 19s., and for each divinity student £18 3s. Taking the whole of Scotland, the endowments for medicine amount to £5,800, and there are 3,000 students, the cost being less than £2 per head. The endowments for divinity amounted to £7,664, and the students numbered 278 only. Therefore, on grounds of financial economy alone, we ought to stop the grants for these Theological Chairs. But when we add the fact that the students who are taught in these Universities are only the theological students belonging to the Established Church, we find that more than one-third of the total endowment of the Universities of Scotland—over £7,000 a year—is devoted to the education of divinity students belonging to one only of the numerous denominations to be found in Scotland. This is a scandalous evil, and I have thought it desirable that the Committee should know the facts I have stated. I hold that it is entirely contrary to sound policy and to justice that taxes which are collected from all religious denominations should be applied for the purpose of educating only those who are connected with the Established Church.

Motion made, and Question proposed, "That a sum, not exceeding £11,588, be granted for the said Service."—(*Mr. Hunter.*)

*THE SOLICITOR GENERAL FOR SCOTLAND (Mr. M. T. STORMONTH DARLING, Edinburgh and St. Andrew's Universities): The hon. Member has based his Motion on a number of calculations which he has made, and which for the moment I am not in a position to controvert, but if they are all of the same inaccurate character as the figures relating to St. Andrew's University I cannot receive them with absolute faith. The number of divinity students given for St. Andrew's for instance, falls very far short of the actual number in attendance.

MR. HUNTER: I gave the average for three years.

*MR. M. T. STORMONTH DARLING: The hon. Member may be right in his average, but what I say is that the actual number in attendance last session was 48. The hon. Member also referred to the point raised during the discussion on the Universities Bill by the hon. Gentleman the Member for Kirkcaldy—namely, that many men who do not intend to follow the theological profession enter the theological classes. I have made inquiries on the point, and I am informed that that is an entire mistake: that there may be isolated cases of the kind, but that they form so small a proportion of the whole as not to be worth taking into account at all. Inasmuch as the general question raised by the hon. Gentleman has been so recently discussed, I think I shall best consult the convenience of the Committee if I refer the hon. Gentleman to the arguments which were used in the Debates upon the Universities Bill, and do not pursue the subject further on the present occasion.

SIR G. CAMPBELL: I am not willing to accept a general statement in contradiction of the general statement I made. If the Solicitor General has statistics I shall be very happy to stand corrected; unless he has, I do not think the question is fully set at rest. One word with regard to the present number of students in St. Andrew's being 48. I do not know how that has been brought about, but I know that a very few years ago there were only 18 students. I regret that my hon. Friend proposes to refuse the whole of the Vote for Theological Chairs in Scotland. I am not anxious to raise the question, because I think it will come up along with the question of the Disestablishment of the Church. I should have been satisfied to reduce the Vote by the cost of the utterly unnecessary Theological Chairs at St. Andrew's and Aberdeen Universities.

*MR. M. T. STORMONTH DARLING: If the hon. Gentleman wishes me to be more precise I will say that upon inquiry I was informed that there is only one student who answers the description given by the hon. Gentleman.

MR. HUNTER: The hon. and learned Gentleman has referred to the number of

these students at St. Andrew's. Let me read out the figures for the last 10 years. In 1878-79 there were 22, the next year 20, the next year 20, the next year 24, the next year 22, the next year 24, the next year 28, the next year 34, the next year 38, and last year 42. The Solicitor General makes the number last year 48, but the difference is not significant; it would only reduce the cost from £54 or £56 to £40. I contend that £10 would be an extravagant sum considering the resources of the Scotch Universities, but when you add the fact that these are denominational Colleges the argument becomes stronger. I beg leave to dispute the doctrine that this is part of the question of disestablishment. A Disestablishment Bill would have nothing whatever to do with the Universities.

The Committee divided:—Ayes 73; Noes 123.—(Div. List, No. 308.)

Original Question put, and agreed to.

(3.) £1,900, National Gallery, &c., Scotland.

DR. CLARK: At this late period of the Session I do not intend to oppose this Vote; but I beg to give notice that next year I shall move to reduce the Vote, in order to raise the question of the advisability of transferring the control of the National Gallery from the Board of Trustees of Manufactures to the Secretary for Scotland.

Vote agreed to.

4. Motion made, and Question proposed,

"That a sum, not exceeding £337,957, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, for the Salaries and Expenses of the Science and Art Department, and of the Establishments connected therewith."

*MR. WOODALL (Hanley): I am glad to find a restoration of the "grant in aid of examples to local museums." The withdrawal of that grant has been very disadvantageous, and I personally would have liked to see the item standing at the figure it did formerly. I also regret the decrease in the item for the reproduction of works of art. Although I have no doubt the Vice President of the Council will be able to offer to the Committee a satisfactory explanation of the figures, I think the decreases are regrettable if they show a falling off in the demands of the country in this respect, or a diminution in the capacity of the Science and Art Department to satisfy those requirements. I am sure the Committee will feel these are amongst the most satisfactory forms of expenditure we can have. Notwithstanding that, from time to time, trenchant criticism is indulged in, there is in the country—especially in the industrial, manufacturing, and commercial districts—a strong feeling that very valuable service is rendered by the Science and Art Department. With regard to the items which show a diminution, it is very possible the right hon. Gentleman may allude to the sparcity of the space at the disposal of the authorities at South Kensington, which necessarily cripples their power with regard particularly to the reproduction of works of art. Anyone who has been to South Kensington recently and seen the conditions under which much of the work has to be carried on must feel there is great need for further enlargement. The cramped condition under which the revision of the work sent up for competition is to be carried on is really little short of a scandal. I have no hesitation in pressing this particular point, because I know how zealous the right hon. Gentleman is for the efficiency of his own Department. I only hope the First Lord of the Treasury or some other authority will be equally sympathetic when the facts are pressed upon their attention by the Department, and cause the deficiencies to be made good.

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): I am glad my hon. Friend commends the step we are taking in respect to the two very important matters connected with the working of the Science and Art Department he has referred to. I entirely agree with the hon. Member as to the necessity for increasing the space at South Kensington allotted for the reproduction of works of art. The state of things in connection with reproduction of objects of art is eminently unsatisfactory, and I shall not relax my efforts until they have been improved. With regard to the reductions of the amount of grants of which the hon. Gentleman has complained, I shall keep a careful watch over the matter, and if I find that

the efficiency is being lost in consequence of those reductions, I shall make an appeal to the Treasury on the subject.

DR. CLARK: I beg to move the reduction of the Vote by £10,000. We vote for the College of Science in Jermyn Street and its museum, nearly £20,000. The result is, that the Scotchmen who study applied science are very heavily handicapped; while the English students are taught at the expense of the State and are granted bursaries, so that they may be boarded during the time they are studying, the Government have again and again refused to give a single farthing for the teaching of applied science in Scotland. We have the Heriot Watt School near the Edinburgh University, but it is supported entirely by the fees of the students, and by such endowments as can be got. Ireland receives a grant of £7,000 for the Science School. The proper thing thing to do is to reduce the London School to the level of the Dublin School, and then, perhaps, Scotland can be fairly treated in this matter.

MR. CONWAY (Leitrim, N.): I hope the hon. Gentleman will not move his Amendment at this stage, in order that one or two points connected with examinations can be dealt with.

DR. CLARK: Than I will not move the Amendment now.

MR. T. ELLIS (Merionethshire): I desire to ask the right hon. Gentleman the Vice President one or two questions in regard to the examinations in Science and Art. The right hon. Gentleman is aware that of late attempts have been made in Wales to extend the teaching of agriculture. From the report of the inspector I find that much progress has been made, and we may anticipate further progress next year. But there is a difficulty owing to the refusal of the South Kensington officials to allow a certain number of the candidates to be examined in Welsh. I am sure that from his knowledge of the condition of education in Wales the right hon. Gentleman knows that here is a real and practical difficulty. Hitherto the system of teaching English has been such that the children in the rural districts on leaving school lose all the knowledge of the English language they may have acquired. This is owing to the unintelligible way in which the Instruction is given, and the right hon. Gentleman has acknowledged this in the Code for the year. Under the old bad and expensive system, with large expenditure, little result has been attained in imparting sufficient knowledge of English to allow of these examinations being passed in English, and I would ask the right hon. Gentleman to promise that a certain number of the candidates, they will not, I think, be a very large number, shall be allowed the alternative of examination conducted in the Welsh language. I admit that there may be a present difficulty, from the fact that the examiners do not understand Welsh, but really no effort has been made to find anyone who can examine in Welsh or translate Welsh examination papers for the English examiners. When an application in this direction was made from Bangor University, it was met by a naked refusal, no attempt being made to comply with the request, but I now hope that we may have some definite and specific promise that an effort shall be made otherwise. I must formally move the reduction of the Vote by £50.

MR. CONWAY: The right hon. Gentleman will be aware that complaints have been made against the system of delivering lectures on the production of lace in Ireland. The visits of the lecturer are too few, and they are delivered at places too distant from each other; for instance, they are delivered in Waterford one day and in Cork the next. I see there is an item in the Vote—£50 for lectures in Ireland, and I presume that is for the expenses of Mr. Alan Cole. I take no exception to this gentleman as a lecturer, and I do not think that £50 is sufficient remuneration for his services, and I should be glad if the Department could see their way clear to extend it in the interest of the lace-making industry, and allow of more frequent lectures. I acknowledge that Mr. Cole has done much service in Ireland, though I regret that in a recent lecture before the Society of Arts he rather discouraged the work in Ireland—he was himself his own critic. I desire that he should have more abundant means and facilities for giving as many lectures as he can in Ireland, and I would press on the Government the necessity of increasing the Vote for the purpose. The second point I wish to

raise has reference to agricultural education in Ireland. By a recent rule of the Education Department the children in the best classes—the second stage of Class 5 and the first stage of Class 6—in Ireland are excluded from examination in agriculture, and accordingly from the South Kensington grant. We know the difficulty in this country of keeping children at school until they are able to reach the sixth standard, and in Ireland where so many demands are made upon our children at certain seasons, the difficulty is greater. This rule will affect the children who have reached the second stage of Class 5, who will be excluded from the Kensington grant, and must be satisfied with the grant from the National Commissioners in Ireland. In Ireland agriculture is a very interesting and popular branch of study. By school farms and school gardens we give practical illustration of the teachings of text-books, and with the result that of 863 candidates presented for examination, 630 have passed, earning amounts from 10s. to 40s. The grants from South Kensington do not exceed the latter amount, so that it is not so much a monetary consideration but the Kensington certificate that is valued, for it is a severe test of efficiency. But by the new rule the best children are prevented from undergoing these examinations and from participation in the grants. The reason for the Vote is, I believe, the overlapping of the grants from Kensington and from the National Commissioners as set forth in the Appropriation Accounts. But what I would urge on the South Kensington Authorities is this, that they should institute an interchange of lists. Lists might be furnished by the teachers in the respective schools of the pupils presented in the subject of Agriculture, and the Commissioners might determine which boys have passed or not, and these lists might be interchanged with those from South Kensington. It would only mean a little additional clerical work, but this the Department are very averse to. I think by the means I suggest the little friction that has arisen might be overcome. As I have said, the desire for the Kensington examination arises from the fact of the test having more value than that of the National Commissioners; it is not a monetary question. I shall be glad if the right hon. Gentleman can give me some satisfactory assurances with regard to the two points I have raised.

MR. HANDEL COSSHAM (Bristol, E.): I do not object to this South Kensington expenditure for science and art teaching, and believe that in the main it is wisely administered, but it strikes me that much of the expenditure is too much concentrated in London, and that it would be much more effective if diffused among various centres throughout the country. This applies to expenditure under many heads, but confining myself to mining especially it strikes me that London is about the worst centre for a Mining School that you can have, for no mining is carried on within a hundred miles of London. Some 30 years ago I had the pleasure of assisting in the establishment of a Mining School in Bristol. Of course it is in a small way as compared with the Metropolitan establishments, but in its way I think it has done more practical good than the more pretentious and more ambitious work carried on in London. If schools of this class were encouraged in the different mining centres much more would be done to encourage the teaching of mining science and much towards the development of our mining resources, upon which the future of the country so much depends. I will not criticise the Estimates in detail, but I would just observe that a good deal too much is expended on salaries.

*SIR W. HART DYKE: I know the hon. Member for Merionethshire will not attempt to convict me of any want of sympathy with him on the point he has raised. As the hon. Member knows, I have gone to extreme limits in the new Code, in order to meet the point raised with reference to scholars being examined through the medium of the Welsh language. I only wish the new task he sets me were as easy of accomplishment as that with which I have endeavoured to deal in the new Code. I should like to explain the difficulties of the position if only to show the hon. Member that the matter has been carefully considered. These science examinations take place simultaneously, and are distinct from the examinations in elementary subjects. They take the form of examination papers, and are not conducted by

examiners on the spot. The examiners are not acquainted with the Welsh language; so that in order to carry out the proposals of the hon. Gentleman the examination papers would have first to be set in Welsh, the results sent up in Welsh, and then translated into English. This would entail very great labour and expense which the Department, I am afraid, would not be prepared to face. I promise, however, to inquire into the matter, and see whether there is any possibility of meeting the hon. Member's views in any way. Then the hon. Member for Leitrim has referred to Mr. Alan Cole's lectures on lacemaking, and I may point out that in the Report this year it is shown that the efforts of the lecturer have not been unattended with success, and some of the Colleagues of the hon. Member for Leitrim have spoken very highly of the lecturer's labours. I regret to hear there are any adverse criticisms in regard to a recent lecture.

MR. CONWAY: Criticisms as to the amount of money voted.

*SIR W. HART DYKE: It is true that the amount of money provided is small, and I should like to see the amount increased, but this, of course, is a question for the consideration of the Treasury. There can be no doubt that agricultural teaching is a most important element in the school life of Ireland; but the difficulty complained of by the hon. Member arises out of a challenge by the Auditor General as to certain accounts which were found of duplicate payments to pupils. There has been some correspondence with the National Board of Education on the subject, and they appear to be of opinion that the agricultural teaching given in Ireland under their programme of instruction is suitable and sufficient for the pupils at the national schools. In these circumstances, the Department felt bound to accept the suggestion, and the result has been the rule to which the hon. Member has called attention. There was nothing in the regulations as they stood to prevent their duplicate payments of grants by the Board of Education in the event of their examinations being held posterior to those of South Kensington, and that is the crux of the difficulty I have indicated. After the letter from the Secretary to the Commissioners, to the effect that the instruction given by the Commissioners covered the whole ground, and was efficient and sufficient for the purpose, we were bound to accept the suggestion. Then the hon. Member for Bristol has made a remark on the advantages of decentralisation in the system of science teaching. I can imagine no more practical suggestion also than that of decentralisation in the matter of science teaching. There is nothing to prevent schools giving this form of instruction being established in any mining centre, provided they conform to the rules of the Science and Art Department, and are under an efficient Committee. Such schools will receive every recognition from the Department, and in due time will receive grants from South Kensington. When, however, complaint is made of the large salaries paid, it ought to be borne in mind that the work is increasing very much, while the salaries are not increasing. In 1887-8 the number of schools examined in science was 1,952, and in 1888-9 2,265. The number of students under instruction in 1887-8 was upwards of 112,000, while in 1888-9 the number was over 131,000. In art subjects also the increase of students in the years mentioned has been from 77,364 to 88,969. This year also the work, both as to submitted specimens and general average, shows a remarkable improvement as compared with previous years.

DR. KENNY (Cork, S.): I acknowledge the very courteous spirit in which the right hon. Gentleman has met the representations of my hon. Friend the Member for Leitrim; but will he allow me to press the importance of the subject, in the hope that he will use his influence with the Treasury to undo the rule which has been made, which, I can assure him, will be absolutely destructive of agricultural instruction in Ireland. Under the old rule a boy in the fourth class was qualified for the instruction—a sufficiently high qualification, I think; but, under the new rule, unless a pupil has passed into the highest class of the National School system he is not eligible. Ireland is an exceedingly poor country with, practically, only one industry—namely, agriculture, and there are not 5 per cent of the pupils in the schools who ever attain to the necessary classification. Those who could do so are drawn away from the training by the

necessity for earning their bread. The whole difficulty is a purely mechanical one. I hope it will not be thought that I am defending the action of the National Board, which in this case has been infamous. They shelter themselves behind the Treasury, and adopt a system which reminds one very forcibly of Charles Lamb's description of the Chinese method of obtaining roast pig, which was to burn down the house with the animal in it. The Treasury are the masters of the National Education Board in Ireland, and if they choose to make a rule of a proper kind the National Board will have to accept it. If they make a rule that in all cases where agriculture or other scientific instruction is paid for by the Science and Art Department, the examinations can take place in Ireland by examiners from the Department, the arrangement would be satisfactory, or, if that is considered too drastic, there might be interchangeable papers. At present if the examination of the National Board precedes that of the Science and Art Department all is well, but if the contrary happens there is a danger of duplication. The new rule has shifted whatever blame there may be to the shoulders of the Science and Art Department, and I would urge on the right hon. Gentleman to exercise his great influence in order to compel the National Board to come to a reasonable settlement and revert to the old rule. This is considered a very important question by the whole of the people engaged in education under the National Board in the North of Ireland. I and my Colleagues are deluged with letters on the subject, in which it is pointed out that the new rule will annihilate agricultural instruction in Ireland. The statement of the National Board that "they are satisfied with the instruction" goes for nothing. The point is to give real instruction in agricultural matters in Ireland—where it is all important—at the time the boy is in the National School, for he can then unite theoretical and scientific instruction with the practical training he gets at home. In many other departments of technical instruction we endeavour to follow this system. We endeavour to establish workshops in connection with the schools, and as the plan is found advantageous in these cases, surely it would be so in the matter of agriculture. Here we are practically losing an opportunity of doing the very thing which is most required in Ireland. I know the Vice President of the Council is animated by the best intentions in the matter, and that he will do what he can for us, although he finds himself confronted by the Treasury who are masters of the situation. I would again urge him to spare no pains to bring pressure to bear on the Treasury in the matter.

MR. T. ELLIS: I am thankful to the right hon. Gentleman for the statement he has made, but I regret that he could not give us a more specific reply. Though, no doubt, it is difficult to carry out the arrangement the Welsh people desire, I would ask him to realise our position. He must recognise the plain fact that the people in the rural districts in North Wales are Welsh speaking, which is due to their nationality and their national life. But the fact that they are not a bi-lingual people is due, first, to the neglect of the Education Department; and, secondly, to the vicious principle they lay down of insisting that Welsh shall practically be proscribed from the schools. If the use of the Russian language were insisted on in the schools, say, in Dorsetshire, what would be the effect upon the peasantry in that county when they left school? So long as you have control over Welsh education—and you have absolute control over it—you must recognise the fact that the Welsh language prevails in the Principality, and that without a knowledge of English in the rural districts. I would point out that there is great enthusiasm for agricultural teaching in North Wales, and I can illustrate that by what happens in my own county of Merionethshire. We have courses of agricultural lectures there. One of the lecturers is at Bangor, and large numbers of peasants trudge there to attend the lectures, which are delivered in English, but made intelligible by being interpreted into Welsh. The examinations, however, are conducted in English, and, therefore, the Welsh-speaking people are debarred from testing the knowledge they have acquired, and from obtaining certificates and grants. If the right hon. Gentleman would remove this difficulty, he

would find that extremely intelligent replies would be given in the language of the people, which will show that they thoroughly appreciate the efforts which are being made to extend the teaching of agriculture. That this teaching is extending, and that the people desire it, is to be seen not merely in the efforts of University College, Bangor, but the efforts of the farmers and peasantry all through North Wales. I desire strongly to support the appeal of the hon. Member for Bristol, and I desire to press it home in view of the working of the Intermediate Education Act for Wales. We hope that in the course of the next two or three years the vast industrial community of South Wales will have a large number of excellent, practical, scientific, and technical schools under the Bill which the right hon. Gentleman the Vice President of the Council has piloted through the House. It seems to me that it would be impossible to have that Bill thoroughly and efficiently worked unless the Science and Art Department is fairly generous in providing specimens and sending down collections to the schools and museums.

MAJOR RASCH (Essex, S.E.): I merely desire, as an agricultural Member, to remind the House that a Bill was brought in by the right hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler), the hon. Member for the Bordesley Division of Birmingham (Mr. Jesse Collings), and myself, for facilitating instruction in horticulture and agriculture, assisted by the Science and Art Department. I hope that Bill will be reintroduced next Session, and that it will receive the favourable consideration of the Government.

MR. W. ABRAHAM (Glamorgan, Rhondda): I quite agree with my hon. Friend in thanking the right hon. Gentleman for the expression of sympathy he has so honourably given to the Welsh Members in this matter. Yet we should like him to meet us still further, because sympathy by itself will do very little good. I can scarcely think that right hon. and hon. Members in this House understand the difficulty we are in in these matters. Some of us—I myself, for instance—whilst speaking in English, are thinking in Welsh; consequently, we are under considerable difficulty. The peasantry in the country, who have little chance of learning the English language, are under even greater difficulty. But it is in this way. You have an Englishman, who is a good English scholar, and myself, who am an indifferent one, and we are both under examination. If the examiner asked the Englishman to describe "the rudiments of agriculture," the Englishman would clearly understand what was meant, whilst I should scratch my head until he nudged me and said, "Rho ddesgryfiad o elfenau cyntaf amathyddiaeth." Then I should know what he meant. This is the difficulty we are in, and the right hon. Gentleman, I am sure, will see it, and pardon us for pressing the question. We are thankful for every consideration; we have to be thankful for small mercies. I do not think you should treat as you do a country which has been so loyal to every Government of this country. You would not think of treating India or Afghanistan, or any other country, as you do Wales. Because we are the children of your little sister, as it were, you expect us to endure these difficulties. Pardon me for pressing the matter now, but I do say that even if it is impossible to meet us now something should be done to satisfy our demand in the future.

MR. HANDEL COSSHAM: I should like to back up the argument of the hon Gentlemen from Wales. I know from my own experience how strong the feeling in Wales is in favour of the education there being given in the Welsh language. My own opinion is, it is very unwise to try to snap out that language as we have done in the past. I believe the reason the Established Church has lost its influence in Wales has been because it has carried on its services in English instead of Welsh, and I think that the people should be left to their natural instincts in the matter of language, for the sake, not only of their literature, but of their general advancement in science and learning.

*SIR W. HART DYKE: I am afraid I have not a strong measure of comfort to offer to hon. Gentlemen. With reference to the alleged difficulty of teaching agriculture in Ireland, I can only repeat my regret that I cannot give a more satisfactory reply. It is said that we can get over our difficulties by an interchange of lists between the

two Departments, but I take it that the letter I read out from the National Board would preclude that. The hon. Gentleman says that agricultural teaching will be debarred from these schools, but I take it that agricultural subjects are compulsory between classes 4 and 6 in the National schools. If the hon. Member thinks that our teaching of the principles of agriculture is so superior to anything else on the face of the earth, that any teaching given by the National Board of Education in Ireland sinks into shame beside it, then I admit there is something in his attitude, but my contention must remain, that this teaching has been described by a responsible Educational Department as being sufficient and efficient for its purpose. Referring to the question of examination in Welsh for scientific subjects, I wish I could see my way out of the present difficulty. I sympathise with the objects of the hon. Member for Merionethshire, but there is a difference between a lecture and dealing with a vast mass of examination papers, and that is the prominent difficulty in the matter. With regard to the question of dealing with the subjects which may be taught in connection with the Welsh Intermediate Education Bill, of course I shall do my very utmost to bring the Science and Art Department into accord with any school or institution that may spring up.

DR. CLARK: I beg to move to reduce the Vote by £100,000 for the Technical Science College, on the ground that there is no money given for Scotland.

Motion made, and Question proposed, "That Item B (Normal School of Science, &c.), be reduced by £10,000." —(*Dr. Clark*).

MR. CALDWELL (Glasgow, St. Rollox): I desire to point out that in this matter of technical education Scotland is treated differently to England and Ireland. We have an equal grant with England and Ireland in respect of passes at examinations, but there is this difference—that in England you have the Science and Art Department; in Dublin you have the Royal College of Science, but you have no corresponding National School of Science in Scotland. I am sure it was never intended by the Government that Scotland should in a matter of this kind be treated in any way differently to England and Ireland. Though we have no School of Science and Art in Scotland, upheld by the National Exchequer, we find that the grants for science and art teaching received by Scotland amount to £17,000, whilst England only receives £52,000. Scotland receives a much larger amount than England in proportion to population, therefore the right hon. Gentleman the Vice President of the Council will see that science is more taught in Scotland than in England, and that Scotland is a country where science can be developed very largely. All that we ask is that we may have the same facilities for developing science in Scotland that you have in England and Ireland. Diplomas can be obtained without difficulty by Englishmen in London, but Scotchmen, if they require diplomas, have to leave their own country to get them, and that I consider a great hardship. We have an admirable College of Science and Art in Glasgow, and if it were to get a proper grant from the Education Department that college would answer, so far as that part of Scotland is concerned. Something similar should be carried out in Edinburgh and Aberdeen; but, certainly, we are entitled in Scotland to the same facilities for the study of science and art that you have in England and Ireland. I know that in taking the right hon. Gentleman the Vice President of the Council to task it is like attacking the wrong man. The right hon. Gentleman would not object if we had half a dozen schools of Science and Art in Scotland; but the difficulty is with the Chancellor of the Exchequer and other Departments of the Government. We can do nothing more than bring the matter under the notice of the Committee.

*SIR W. HART DYKE: I would point out that the effect of the Amendment of the hon. Member for Caithness will be to enter on a process of levelling down instead of levelling up. But with regard to the Normal School of Science, I have to remark that its scholarships and exhibitions are open to Scotch as well as to English pupils. Scotland also obtains a full proportion of those scholarships and exhibitions, and a full proportion of Scotch teachers are trained in this establishment.

DR. CLARK: I am compelled to move to reduce the Vote, because by the Rules of the House I am precluded from moving that a sum of £5,000 be given to a School of Science in Edinburgh. I do not in the least object to this money or even more being spent on Science and Art in England, but I object to Scotland not getting its fair share. I am aware that Scotch students come here and obtain bursaries, and I am also aware that those who pass best have the choice of going to the School of Mines here or to the Royal College of Science in Ireland, but what I object to is that they cannot go to a school of this kind in Scotland. You treat Scotland unfairly; you give Ireland all she wants—[*Home Rule cries of* "Oh!"]—I mean financially. Financially, Ireland is the spoilt child of this House. What I want is that the Government should redress our grievances and give fair play to Scotland.

*MR. SEXTON (Belfast, W.): I have heard with disappointment and with some surprise the speech of the right hon. Gentleman the Vice President in reply to my hon. Friend. The right hon. Gentleman fell into one error. I do not think my hon. Friend intended to compliment the Science and Art Department. We in Ireland regard that Department with particularly mixed feelings, and Irish teachers prefer that their pupils should be examined by the Science and Art Department, only because the result fees are higher. With regard to the remarks of the hon. Member for Caithness (Dr. Clark), that we get all we want in Ireland financially, I think for a hard-headed Scotchman, he has travelled very much into the realms of fancy. We get more than we want of the batons of the police, but we do not get anything like what we want financially. The result of what the Government have done at the instance of the National Education Board is practically to take away the incentive of result fees in regard to the teaching of agriculture. If you fix upon the 4th class you catch the main body of the students, but if you raise the standard to the 6th class, you may as well abolish the result-fees for agriculture altogether. I do trust that the right hon. Gentleman, whose sincere interest in all that concerns education no Member of the House doubts, will feel it his duty to reconsider the subject.

The House divided:—Ayes 58; Noes 103.—(Div. List, No. 309.)

Original Question put, and agreed to.

(5.) Motion made, and Question proposed,

"That a sum, not exceeding £103,975, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, for the Salaries and Expenses of the British Museum, including the amount required for the Natural History Museum."

MR. SEXTON: I fear it may be necessary in the state of the House to ask for a postponement of this Vote. I regret that the hon. Baronet the Member for London University is not in his place, because he is well acquainted with the details of the working of the British Museum, and usually answers questions relating to the administration of that institution. However, I gave notice some months ago of my intention to raise certain questions upon this Vote, and I hope some Member may be able to give me the answers I desire. I wish to ascertain what are the conditions of employment of the principal officers of the Museum, and I think I am entitled to affirm that they are bound to maintain an impartial position between political Parties. Two of the permanent officials of the Museum placed themselves at the service and employment of the manager of the *Times* in connection with the Commission which has been sitting, and I wish to know whether that was done with the assent of the Trustees. It appears that these officials received certain documents from the *Times* and applied themselves to an examination of them. I wish to know whether, under the conditions of their appointment, they are expected to devote their whole time to the service of the Museum. I am aware that the examination of these documents took a considerable time, and I hope that some one will be able to tell the Committee on what conditions these gentlemen entered into the service of the *Times*, and what was the amount of the remuneration they received. I have also to complain that the premises of the Museum were placed at the service of the *Times* for the purpose of taking

photographs and enlargements of documents. After Mr. Macdonald had been examined the Attorney General desired to put Mr. Inglis, an expert, into the box to prove that the hon. Member for Cork had written certain documents. After he had been examined Mr. Birch, another official of the Museum, was ready to go into the box to swear that the hon. Member for Cork had written those letters. Fortunately for the Museum and its officials it happened that when Mr. Inglis went into the box Sir Charles Russell declared that he would not cross-examine him until the history and genesis of the letters had been laid before the Court, and thus the Museum was saved from the misfortune of having its officials called to prove the genuineness of letters which everybody but Lord Salisbury admit to be forgeries. Another question I have to put relates to the files of Irish newspapers. These, of course, are preserved in the Museum, but since the opening of the Special Commission readers at the Museum have been deprived of the means of reference to these files for historical or political purpose. They have been transferred from the Museum to the Law Courts, where I am not even aware that they were kept in the custody of an official of the Museum. Mr. Soames has been allowed a room in the Courts and the files were stored in that room. Although I am sensible of the inconvenience of permanently removing the files from the Museum, I would have made no objection if they had been equally accessible to both sides in the case. Several of my hon. Friends have been attacked because of their connection with Irish newspapers, and although they were on their trial, and although the files of the papers had been removed from the Museum to the Royal Courts of Justice, the Committee will be surprised to hear that those files were not open to their inspection. I protest in the strongest manner open to me that it is not just that a great public institution maintained out of the Imperial purse should allow its officials and documents to be used in a political issue in favour of one of the parties only. I find that the salaries of the two officials concerned are £750 a year each, and, therefore, I beg to move the reduction of the Vote by the sum of £1,500.

Motion made, and Question proposed, "That a sum not exceeding £102,475, be granted for the said Service."—(*Mr. Sexton.*)

*SIR G. STOKES (Cambridge University): As I happen to be one of the Trustees of the British Museum, I think it is right I should say a few words on this question, although I regret that not being aware that the discussion was coming on to-night, I have not provided myself with full details.

MR. SEXTON: I should have informed the hon. Gentleman had I been aware of his intention to speak.

*SIR G. STOKES: As to the conduct of the two officials to whom the right hon. Gentleman has referred, I am informed that what they did was done entirely out of office hours; at all events, they were not absent from the Museum during office hours, as I am informed. As to the removal of the files of newspapers, of course that can only be done by legal authority, and there must be a guarantee for the safe custody of papers so removed. What are the conditions under which papers are so removed, and in whose custody they remain are questions as to which I can give no opinion, nor have I any legal knowledge on the subject.

MR. T. M. HEALY (Longford, N.): I think the Committee will agree with me that the distinguished professor has not thrown much light on this subject. This is a very different case from that of the Shapira manuscripts, which but for the intervention of a German professor would have been accepted as genuine by the British Museum. This is the forgery of letters by a modern politician, and there are tests which we were assured by the Attorney General had been applied to the consideration of these forgeries. It was always understood that lurking in the background loomed the distinguished gentlemen connected with the British Museum. It is much to be regretted that these gentlemen did not hold themselves absolutely aloof from an inquiry which concerned the fate and fortunes of one of the great parties in the State. We all know what light has been thrown on this question of the genuineness of handwriting by photography; and no small sensation was created when it was

said that the officials of the British Museum, with the dry light of science and impartiality in politics, were on the side of the *Times*. Now, the only excuse we have offered is that these officials acted after office hours. But does this make men purblind; is it an excuse that they made asses of themselves after office hours? If that is the defence, they are not fit to receive their salaries. If these gentlemen are asses after office hours, surely they will be asses in office hours. But the antecedent question is, what right had these gentlemen to intervene in this business at all? But having intervened and having brought the light of their intellects to bear, what was the result? If these experts could not find out the hand of Richard Pigott, how on earth can they find out the stamp of Julius Cæsar? What are we to think of what are called the resources of civilisation in their hands? The absolute fraud and humbug of these letters might have been demonstrated at the cost of a few shillings and a microscope. Why, by throwing a magnified photographic representation of these forgeries on a screen one could see that they were as full of composition and decomposition as a pond of fetid water is full of animalculæ. One could see the whole plan of the forgery as elaborately traced as M. de Lesseps' plan of the Panama Canal. I attack the action of the officials of the British Museum on the ground of their scientific incompetence as well as on political grounds. But I have a third proposition to make, and it is with reference to the action of these gentlemen in connection with the files of newspapers. The hon. Baronet says that what they did they did under legal conditions. What were the legal conditions? I apprehend it is quite impossible to serve a subpœna on the British Museum. I do not see how you could serve a subpœna on the British Museum to produce the files of newspapers. I will not discuss the legal conditions, but I say that to serve a subpœna *duces tecum* on the clerk of the British Museum is not sufficient to cause him to produce the file of a newspaper. However, apparently the British Museum, whether they had a subpœna or not, did not require much tuition in the matter. They at once produce their files. Let us suppose that this was a Tichborne trial. Would it be tolerated as between two private parties that all the newspaper files of the country which are collected in the British Museum should be carted away to the Strand and locked up from the general body of the public, who have the first right and claim upon them? If that is the use to which the British Museum is to be put, I say, "Away with the British Museum!" I apprehend the British Museum is for the advantage of the public generally, and not for the advantage of Mr. Soames or any other solicitor. For the last 12 months anybody who went up to the British Museum to consult the files of the Irish newspapers or the English newspapers was told, "Oh, they are down at Mr. Soames' office!" What answer is that to the British taxpayer? I maintain that if only one humble being would be inconvenienced by the removal of these files, they ought not to be removed. It seems to me that if a subpœna is sufficient to break up the collection at the British Museum, there should be salutary legislative authority to prevent it. I suppose that if the subpœna had ordered the authorities to send down the whole library or the skeleton of a megatherium, it would have been obeyed. The *Times* might have called for every mineral, vegetable, or animal specimen in the building. There is no doubt these gentlemen acted with the greatest imprudence. I do not believe any legal subpœna was served at all; but even if it was possible to subpœna the authorities of the British Museum, I think they might have found a way of excusing themselves from the production of the files if they had cared to do so. I now go to my fourth proposition. I desire that everything done by the British Museum shall be regularly done. I want to know what right the British Museum Authorities had to transfer all these valuable records to the custody of Mr. Soames. I saw from the newspapers that the clerk of the British Museum attended the Commission Court for one or two days, and that then a gentleman called Sir Richard Webster got up and said—

"The British Museum Authorities are attending day after day and bringing down these documents every day, but we desire that they should be left here."

"Oh, certainly," said the President. I

recollect reading that nothing that has once been put into the Museum can be taken out of it again without the sanction of a special Act of Parliament, and that when it was desired on one occasion to remove an old skeleton to make room for a new one the authorities had to put the old skeleton inside the new one so as to avoid the necessity for a special enactment. At any rate, it was no part of the duty of the British Museum to relinquish the custody of these documents. There may be Acts of Parliament to enable the authorities to dispose of their lumber; but it is another thing for the authorities to hand these files over to Mr. Soames. The clerk who produced them should have said, "I am a public official. You require these papers, and I will give them to you to look through; but they must be equally accessible to the litigants on the other side." That was not done; Mr. Soames had them under lock and key, and so far as the general body of litigants were concerned the files were absolutely closed to them. Undoubtedly the *Times* nobbled the British Museum; and on a later date we shall show that the *Times* got officials of the Royal Dublin Society, who are paid out of the public money, to look out extracts for them. I think that the Motion which my hon. Friend has made is a reasonable and necessary one. It is very unsatisfactory to the Irish Members to have to bring these matters forward after the thing is over. But that is all we can do in Irish matters. It is no remedy, however. I do not suppose that there will be a Parnell Commission again for another century. The British Constitution has not sufficient resources to produce anything like it again on this side of the 20th century. There is absolutely no defence to be made for the authorities of the British Museum in this matter, and therefore I support the very proper Motion of my right hon. Friend the Lord Mayor of Dublin.

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I am afraid I am not able to give very much information to hon. Gentlemen opposite; and I regret very much the absence of the hon. Baronet the Member for the University of London (Sir J. Lubbock) who usually answers for the British Museum. My hon. Friend the Member for the Cambridge University has told the House that two officers of the British Museum were consulted in this case, but that they did not act in the matter within the hours which they are called upon to give to Museum work. I do not suppose that anybody believes that they entered into the examination which they were asked to undertake from any partisan view. The hon. Member for Longford, I am sure, will testify to the facilities afforded to him whenever he has applied to any officer connected with the Museum. I believe it is customary for officers at the British Museum who have special knowledge to be consulted from time to time by those who desire to have their opinion. Whether these officers would have undertaken this duty, had they known the whole circumstances of the case, is extremely doubtful; but I do not think it has been shown that they have in any way taken a Party side. They have examined the documents purely from the point of view of their knowledge and experience of such documents. I believe there is ample power to compel the production of any documents in the Museum; and I do not understand that it is contended by the Lord Mayor of Dublin or by the hon. Member for Longford that there has been any refusal to anybody to see the files of the newspaper in question. These files were sent to the Court; and I take it that they were in the custody of the Court.

MR. SEXTON: If anybody wanted to see the newspapers, he had to ask Mr. Soames.

MR. JACKSON: I do not understand that either of the hon. Gentlemen have gone so far as to say that anybody who has applied to see the files has been refused, but rather that the newspapers were sent to the Court and placed in a particular room which, in their opinion, looks as though they were sent there in the interests of one side or one litigant. I imagine that when the newspapers were brought into Court under an order of Court, they were open to inspection by any party in the case. I am sorry that I am not personally acquainted with all the details of the matter; but if there are any questions of detail upon which answers are desired, distinct inquiries shall be made before the Report stage.

MR. LABOUCHERE (Northampton): I know something about this matter. I have had a good many actions brought against me, and I remember that in regard to one action—I am not quite certain whether the Solicitor General was for me or against me; he has been both—I wanted to obtain the files of one or two newspapers from the British Museum, and I was able to do so by subpœnaing some official. But the newspapers were not given into my custody. They were brought into Court by an official, who took them away again. What we now complain of is that certain documents were brought from the Museum and handed over to the custody of Mr. Soames.

MR. JACKSON: Under the protection of the Court.

MR. LABOUCHERE: The Solicitor General will tell the hon. Gentleman that the Court has no power to allow such documents to be handed over either to a plaintiff or to a defendant. Undoubtedly in this matter there is a certain bias on the part of every official of the Government, which induces them, I do not say to act against the other side, but not to do anything for the other side. The hon. Gentleman who has defended the Museum authorities stated that the two officials devoted their time to this matter out of office hours. But I put it to the First Lord of the Treasury whether public opinion will not be biased by two gentlemen from the British Museum coming forward as expert witnesses for the *Times*? Unless we get an admission from the Government that a wrong has been done, and a promise that it shall not take place again in any future trial of this sort, I hope that my hon. Friend will go to a Division.

MR. CHANCE (Kilkenny, S.): Obviously, all documents in the British Museum, within the possession, power, and procurement of the trustees, are entitled to be produced in Court, although they are held under strict regulations by the trustees. The words of the Act of George II. are most specific on the point. All property is by that Act to remain under the control of the trustees for public use to all posterity. But not only so, even if the trustees desire to move part of their collection to another building, they have to come to Parliament for an Act for the purpose. Thus, in 1878, the British Museum Act gave the trustees special power to remove a certain portion of their collection to the buildings at South Kensington. Did they get any special Act for the removal of these documents from the Museum to Mr. Soames's office? These are points which I think the Solicitor General might help us to clear up.

*MR. BRADLAUGH (Northampton): The Secretary to the Treasury has stated that these two gentlemen, had they known the circumstances from the beginning, probably would not have gone into this transaction at all. But surely it was known long before the production of these forged letters in Court that they were not documents that ought to have been used in a criminal charge. Another point has been raised which is a little confused. I suppose there is no doubt about the right of any party in a suit by a subpœna *duces tecum* to call for the production in Court of any particular documents; but such documents, so produced as these files of papers were, should never leave the custody of the individual producing them. They should be held in his care for reference by either party to the suit, or the solicitors. This practice is inherent to the proceedings. I have seen officials of the British Museum in Court over and over again produce under subpœna files of papers, but I never heard of a case in which such documents were placed in the custody of one party to the suit. If that has been done in this case—I have no knowledge myself about it, but I have heard what has been stated as to these files being in the custody of Mr. Soames—then I say it is a proceeding that this House ought to condemn in the very strongest fashion. There is not a shadow of doubt about the practice that such documents should be open to the access of either party.

DR. KENNY: The Secretary to the Treasury has applied himself to the task, which he can perform better than most on that Front Bench, of throwing oil on the troubled waters. He has expressed his willingness to answer any questions of detail that he can, and there are one or two questions I should like to put to him. We should like to have the name of the second official which, as yet, we have sought in vain. We have the name of Dr. Birch, but we

should like to know who was the other expert employed. It might be that we may have occasion for his services in a case of our own in the future. Another question of detail, which may be within the hon. Gentleman's cognisance, is—Did the experts day by day have these files of papers in their custody? Also—were they paid by the *Times*, or who were they paid by? These are questions upon which I hope we may get an answer. Then as to the conspiracy in which these gentlemen seemed to have joined, a grave question arises. I think we must all feel that it is necessary we should be tender about the reputation of our ancestors. Now, suppose one of these gentlemen should have before him a letter, say from the Duchess of Portsmouth or Mistress Eleanor Gwynne, upon the authenticity of which may depend the reputation of an English Monarch. Very grave errors might arise to the Monarch's reputation through the incompetency of these gentlemen, and the same questions might arise in reference to the Monarch of a later era. The hon. Baronet the Member for Cambridge University has told us that the work of these officials in regard to these letters was done after office hours. But does he really mean to say that a series of very elaborate experiments were not conducted at the British Museum, and with the apparatus of that Institution? It does not require less faith than that of St. Thomas, if we hesitate to believe that the Museum was not so used. These are questions upon which I hope some explanation may be forthcoming.

MR. E. HARRINGTON (Kerry, W.): I desire to bear brief testimony to the fact that the papers removed from the British Museum, and which have been understood heretofore to be the property of the nation, and in the custody of the trustees, were brought down from the Museum, I think without formal order of the Court, and certainly were transferred to the custody of Mr. Soames, and access to them was denied absolutely to the other parties in the suit. This is our grievance. I have no complaint myself to make of being personally damnified, for I have small faith in British Institutions, including the British Museum, and so I provided myself with a file of papers from my own office, and therefore was not at that loss which others of my Colleagues suffered through Mr. Soames being in possession of the Museum files. Day by day I had before me the fact that not only were the Museum files in Mr. Soames's custody, but he had Irish policemen placed at his service to go over the papers for him and make extracts therefrom. This is a fact that cannot be denied. I believe the First Lord of the Treasury must be in a position to have had some knowledge of these proceedings from their inception. [Mr. W. H. SMITH expressed dissent.] We must accept the right hon. Gentleman's disavowal. But the fact remains that we, the weaker party in this contest, had all the odds against us. You used the public money; you used your control of public Institutions; all social advantages were on your side; you used even the money that we are now asked to vote, that you might ply Mr. Soames with every advantage to be used against us. And all this time you denied any access by us to this public property for reference. I think my hon. Friend has made a good point in his reference to a special Act being required to take documents from the British Museum; but I do not rest my argument upon that. What I say is that no one party in litigation should be able to compel the production of such documents in Court, and withhold them from the other party. It was especially hard upon us, who had nothing to rely on but our truth, our pluck, and public virtue. Against us you used all the advantage of wealth and social influence, and you cannot complain if we indulge in the luxury of grumbling and protestation. I am quite certain that what my right hon. Friend (Mr. Sexton) says is a fact—that these documents were in the custody of Mr. Soames at the Law Courts; and, further, that he had the assistance in the examination of these documents of the official staff of the Museum and also of the Irish police.

MR. FLYNN (Cork, N.): I regret that none of the hon. and learned Gentlemen who were engaged before the Commission are now present, because I feel confident that if either of those who sit on this side in Committee were here this evening he would be able to show to the satisfaction of the Committee that these newspaper files for a considerable period were not, properly speaking, in the custody of an official

from the Museum, but solely and exclusively in the custody and occupation of Mr. Soames. In proof of this statement on several occasions last November and December, and while the House was in Session, and Members of this House were lying under these charges, we went to the Court to obtain extracts from Irish newspapers, from certain speeches alleged against us in evidence, and the learned counsel to whom we referred told us we should go to Ireland or send to Ireland for the newspapers. So it is evident he could not procure these extracts in Court. This much will be conceded, that these files if they were in Court should have been as accessible to the one side as the other. They were not in Court, and they were, I allege, absolutely in the custody of Mr. Soames and his coadjutors. I do not think the Committee will be satisfied with the explanation of the hon. Baronet that these British Museum experts did this delicate work after office hours. It is an extraordinary thing that in a great State trial, as a Member of the Government has appropriately termed it—it is positively indecent, I will say, that servants of a public institution, officials of a great national institution like the British Museum paid out of public funds should be employed in a transaction of this kind. Beyond all doubt it raises serious questions as to the competency of these gentlemen to occupy their present position. As an ordinary layman, I should be inclined to call in question the ability of these gentlemen to decipher Egyptian hieroglyphics, if they have failed to see the forgery of these pen scratchings attributed to my hon. Friend the Member for Cork. Any ordinary judge of caligraphy would have discovered the forgery after a few hours' examination. The hon. Baronet says these gentlemen did their work out of office hours; but did they perform their experiments within the walls of the Museum in midnight secrecy, and did they avail themselves of the apparatus and machinery of the Museum? I do not know, but I suppose cameras and photographic appliances are to be found at the Museum. If this was the case, what a lame excuse it is to say the work was done after official hours! But passing from that, why should these gentlemen be required to undertake the work at all? Are there not in London plenty of skilful photographers who would have equally well discharged this comparatively simple work of taking and enlarging photographs? Why were these officials employed at all? I think the time of the Committee is well employed in the endeavour to get at the truth of this business, and I hope some right hon. Gentleman will be able to supplement the little information we have had as to these very suspicious transactions.

*Mr. H. J. WILSON (York, W.R., Holmfirth): I join in acknowledging the reasonableness and courtesy of the Secretary to the Treasury, and I hope he will make an effort to satisfy us on this subject. He asked us to put questions to him upon detail; but if my hon. Friends will accept a little advice from me, I should recommend them not to ask for any details, but to demand a full and complete statement of all that has taken place. For my own part, I shall decline to intimate any particular point upon which I should like information. What is wanted is a full account of the whole transaction; when it began; where it began; how the work was done; who paid for it; in fact, the whole story in connection with it. The Secretary to the Treasury is generally very clear and straightforward, and I hope he will be so in this case. I do not propose to enter at length into the subject. I will only add that it does seem a little strange that with the knowledge that this discussion was coming on to-night—for it has been a matter of controversy both in the House and in the country for months—it is strange, I say, that we have nobody here to speak with authority for the British Museum. The Solicitor General has sat through this discussion and displayed his interest in it by sometimes nodding and sometimes shaking his head. Will he get up and tell the Committee what is the law on the subject? If he cannot tell us what it is the British Museum have done, will he tell us what they should have done and should not have done with reference to the custody of these papers?

Mr. MOLLOY (King's Co., Birr): The British Museum Authorities were bound to produce these papers under subpœna *duces tecum*, but that subpœna must have been seen by the trustees. It could not have been served upon anybody in the Museum without it

being brought to their knowledge, because no document can be moved without their authority. Perhaps the hon. Baronet (Sir G. Stokes) will let us know what action was taken by the trustees, and if it is within his knowledge that the subpœna was served.

MR. SEXTON: I think the hon. Baronet has given the Committee all the information in his power, but I think that he will agree that the information he has given is not sufficient to satisfy even the most modest curiosity. I admit that the testimony of the hon. Baronet is valuable on many subjects; but in regard to this matter, it is evident that the testimony would be more valuable after inquiry than before, and I hope he will be so good as to make inquiry. His arguments simply amount to this—that what the officials did was after office hours. But that appears to be founded upon speculation in his own mind, for the only reason he could give was that they were not absent during the hours of duty. Now, there is no doubt one of the reasons why the British Museum was selected for these experiments was because of the character of its plant and apparatus and its facilities for the enlargement of photographs. But the hon. Baronet does not appear to have informed himself upon this point, whether the work was done in the Museum at all. The Secretary to the Treasury has made but a lame apology. Of course, he is very effective in apologising for the sins of others, perhaps because he has so few of his own to answer for; but I am quite sure that he will agree that an arrangement should have been made by which the custody of these papers should have been in an officer of the Court or of the Museum, and that they should be open to the inspection of litigants on either side.

MR. JACKSON: I entirely admit that, and I did not understand the right hon. Gentleman to say that that had not been done. I quite understood that the files were in Mr. Soames' room; but I did not understand there was any difficulty, or any refusal of access to them, to others who were concerned, and I understand, moreover, that they were actually in the custody of the Court for the whole time.

MR. SEXTON: The Commission sat for four days in the week, and during that time they were open to Mr. Soames and not to us. During the other three days we were also debarred from inspection, while Mr. Soames had full control.

MR. JACKSON: I understood that it was under the advice of his own counsel that the hon. Member sent to Ireland for his own copies.

MR. SEXTON: My hon. Friend's counsel would not have advised him to go to Ireland to look through the files when he could get them in London. Mr. Soames's agent had access to the files at any time; but whenever the representatives of the Irish Members desired to look at them, they had to ask the permission of Mr. Soames to state what papers they wanted and to examine them under the supervision of Mr. Soames's clerks, so that Mr. Soames knew exactly what evidence it was intended to give and was able to prepare his cross-examination. The whole thing was a conspiracy engineered by Mr. Soames. I am surprised that a man of legal eminence, such as the Solicitor General, should sit through the whole discussion and not take any part in it except by gesture. No doubt it is a discreet silence, and the matter is more the Attorney General's business than the Solicitor General's. The Attorney General received a splendid fee in the case, and the Solicitor General did not. I admit that there is a strong contrast to be drawn between the conduct of the two hon. and learned Gentlemen—the Solicitor General, though he received no fee, being in his place, and the Attorney General, who had so large a pecuniary interest in the *Times'* case, being absent. Without going any further into that matter, I desire to point out that we have not had a reply to several questions we have addressed to the Government. The Committee wish to know who the officials were; whether they were served with subpœna *duces tecum*, and, if so, when; how long they continued in the service of the *Times*; what operations they performed; what remuneration they received from the *Times*; and what documents were specified in the subpœnas? Lastly, are these the officials upon whom the country depends for deciding the validity of valuable documents. I shall ask the Committee to divide on this Vote to-night. I intend to raise these questions again on the Report stage, and I trust that then a reply will be forthcoming either from the

Attorney General or the Trustees of the British Museum.

MR. CHANNING: (Northampton, E.): I do not think this Debate should be allowed to close without the law being laid down by the Law Officers of the Crown as to the custody of the documents in the British Museum. I think, seeing that the Solicitor General is present, we should have his opinion of the law upon a question of such importance as this.

*THE SOLICITOR GENERAL (Sir E. CLARKE, Plymouth): If the Committee desires to hear my opinion I have no objection to give it. Two questions have been raised in the course of the discussion; one is strictly relevant to the Motion before the Committee for the reduction of the Vote, and that is the question of the conduct of the two gentlemen who seem to have been consulted with regard to these documents. The other is the question of what was done with regard to the production of printed matter from the British Museum in the course of the case, and of its being left in the custody of Mr. Soames. With regard to the authority for having printed matter from the British Museum produced in Court, the legal knowledge and experience of the two Members for Northampton has already shown that it is within the competence of a Court to cause printed matter to be brought from the British Museum when dealing with any sort of case, public or private. One of the public purposes of a complete collection of literary work in the British Museum is that the Courts of Justice may be able to refer to it. Both the hon. Members for Northampton in their diverse experience in courts of law, have had to do with the production of printed matter. It is said that in this case printed matter was brought to the Court by an official of the British Museum in the morning and taken back in the evening. [*Cries of* "No, no."] I beg pardon; I know this from one of the hon. Gentlemen who have already spoken in this Debate. It was taken back each night until on the second or third day the Attorney General suggested that this moving to and fro was extremely inconvenient and unnecessary, and I understand from the statements made in this Debate that it was ordered that the files should remain in the custody of Mr. Soames.

MR. SEXTON: Ordered by whom?

*SIR E. CLARKE: By the Court. No such proceeding could have taken place except under the order of the Court; and if objection had been made by either of the litigants against the application that the documents should be left with Mr. Soames, no doubt the order would have been refused. It is stated that there was great difficulty in obtaining access to the documents. I have no knowledge of that, but it has not been stated that any application for such access was made to the Court. If representations had been made about the inconvenience of the documents lying in Mr. Soames's office, no doubt that inconvenience would have been removed. As to the question of consulting officials on the question of handwriting, two gentlemen of the British Museum have been referred to. The name of only one of them has been mentioned, and that is Mr. Birch. I do not discuss whether it is right or wrong for the officials of the British Museum to be consulted, but I do know that it is by no means an exceptional thing for Mr. Birch, one of the officials in question, to be consulted on questions of handwriting. In the last case but one in which I appeared—which involved a question of forgery—where the forgery of a will was exposed, Mr. Birch was called upon to give an opinion on handwriting. I succeeded in defeating the will which was then in question, and I knew of Mr. Birch having been employed because I held his report in my hand. I only instance this case to show that it has, undoubtedly, been the practice to consult the officials of the British Museum, and there is not the smallest reason for supposing that their intervention in the particular case under discussion had any reference to the character of the case.

MR. O'HANLON (Cavan, E.): One thing is certain—that Pigott and his party will follow the Government to its grave. We have heard nothing whatever from the Government, who should give us every information in the matter, except that we ought to have gone into Mr. Soames's office for the information we wanted. If we had done such a thing what would have been thought of us? Does the hon. and learned Gentleman really think it would have been possible for any Member of this

party to go into Mr. Soames's office? I think the proposal to reduce the Vote a very proper one.

MR T. M. HEALY: I shall, on Report, press for an answer to one or two questions of which no notice has been taken. I desire to know to whom the subpœna was addressed, what it contained; what the officials subpœnaed were asked to produce; what these gentlemen were paid, and whether the payment was brought in ease of the charge on the taxpayers. The answer given by the Solicitor General is no answer at all, and I assert as a matter of law that there is no authority to compel the British Museum or any officer of that Institution to produce anything on subpœna *duces tecum*. It is a monstrous thing if Soames's office and the British Museum are to be interchangeable terms. The course taken by the British Museum Authorities in this instance has been most regrettable, and no answer of any sort or description has been given to our questions. Supposing Soames had stuck to those documents, or had mutilated them by cutting them into ribands, what answer would be forthcoming to the inquiries of the taxpayers? There would be a suit for damages, of course, by the British Museum against Soames, but what answer would that be to the general public; and this shows the inconvenience of the course which has been followed. Where are those documents now? I submit that they are still in the office of Soames. Are they back again in the British Museum? No one can say; and yet the Vote is brought forward for discussion in this way. As to Messrs. Birch and Inglis, all I will say is that it was on the testimony of experts such as these that the Crossmaglen prisoners were sentenced to penal servitude, and I submit that they should be prevented from giving bogus evidence in fraudulent perjury cases. While they may be competent enough to deal with evidence pertaining to the days of Julius Cæsar, they are not competent to do so in the days of Richard Pigott. Let Mr. Birch remain in the classic shades of the British Museum and draw his salary peaceably. If he is an expert the best place for him to exercise his calling is in the place where he is paid for it by the country. It is a monstrous thing that any of these public servants when they get into official positions should be trotted out as experts. They really know nothing more about these things than anybody else, but they put on great airs, take great oaths, and get great money. This scandal has gone far enough, and I hope that to-morrow we shall have some better answer than that given from the Treasury Bench.

MR. CHANCE: I wish to ask the Secretary to the Treasury whether he will take steps to see that Mr. Birch and other gentlemen are not permitted to go round the country, with all the material in the Museum at their disposal, swearing people into gaol?

MR. O'DOHERTY (Donegal, N.): I have always understood that it was one of the duties of the Government to call attention to the extra receipts of these officials. We certainly have a right to know what are the indirect salaries which these gentlemen receive, and to what extent the British Museum grant is supplemented by receipts from private individuals when those receipts are earned in consequence of the official position of those who obtain them. This Debate will be useful if it has no other effect than to direct particular attention to the fact that these men are in receipt of enormous sums for private work done with public instruments, and obtained because they are public servants. It is preposterous to say it is not in the power of the Committee to investigate the matter. I think we ought to be informed not only what remuneration these gentlemen received when attending on their subpœna, but what remuneration they received during the time they were making the investigation, and were not on subpœna. It is also our duty to inquire whether or not they used the instruments of the British Museum or devoted any of their official time to this outside work. I give the hon. Baronet (Sir G. Stokes) perfect credit for believing that they were at their offices during the proper hours, though he did not say they were doing official work all the time. I hope the Secretary to the Treasury will inquire whether any of the work was done during official hours.

MR. D. SULLIVAN (Westmeath, S.): After the very inadequate reply of the Government I beg to move, Mr. Courtney, that you do now report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. D. Sullivan.*)

Question put, and negatived.

Amendment again proposed.

MR. LABOUCHERE: I see the hon. and learned Attorney General now in his place. He will remember that certain documents were obtained under a subpœna *duces tecum* from the British Museum. These documents were placed in Mr. Soames's private room at the Law Courts. It has been complained by hon. Members, who may be described as the persons sued in the case, that they had not equal opportunity with Mr. Soames to look into the documents. Our complaint is that documents were taken out of the custody of the British Museum and left in the custody of Mr. Soames. Of course, the Attorney General will see that that was a most improper thing if it was so. The Solicitor General admitted that it was improper, but said he did not know it to be so at the time; and so said the Secretary to the Treasury; at least, he did not attempt to defend it.

*SIR E. CLARKE: I did not say so. What I said was that it was understood that these documents were being carted backwards and forwards at great inconvenience; that the Attorney General said this was a most inconvenient course, and that no objection was taken to the Order of the Court as to their custody at the Law Courts.

MR. LABOUCHERE: I do not care about the Law Courts. I am a taxpayer, and these things are to a certain extent my property, and I object to my property being left in the hands of Mr. Soames, whether by the permission of the Judges of the land or of the Attorney General. We want to understand whether these documents were left by an official in the hands of Mr. Soames; whether they really were in the hands of Mr. Soames?

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I am glad to think that my presence here at this stage may be useful in affording hon. Members below the Gangway on the opposite side answers to the questions that have been put to the Government. The documents were never out of the custody of the proper officer of the British Museum. No access was ever had to them by the advisers of the *Times*, so far as I know, except under the custody of that officer, and the same access was given to all parties concerned. During the first three or four days the papers, all of which were produced on subpœna, were carted backwards and forwards, to the great inconvenience of everybody. Then the suggestion was made, if my memory serves me right, by Sir Charles Russell, that they should be left in the Law Courts; I will not be quite certain as to this, but the suggestion came, so far as I recollect, from the other side. My recollection is that this was suggested to Sir James Hannen, who was informed that the officials of the British Museum were not entitled to leave the papers anywhere else than in the Museum, unless the Commission made an order to that effect. Whereupon Sir James Hannen said it was a reasonable proposal, and directed that they should be left in a room in the Law Courts. I am able to say from personal knowledge—though, having been counsel for the *Times*, I am unwilling to obtrude my personal knowledge—that the papers were accessible to any of the parties to the inquiry. So far as I know, the documents were never produced except under the custody of the official of the British Museum. They were never in the custody of the solicitor for the *Times*, in whom the hon. Member for Northampton expresses such distrust.

MR. M. HEALY (Cork, City): The hon. and learned Gentleman says these papers were never in the custody of Mr. Soames. I may state that, as a party to the suit, I once had occasion to apply for access to the documents, and I had to go to Mr. Soames and get Mr. Soames's permission to see them. I was conducted by Mr. Soames to his room, and I had to inspect the documents in the presence of half-a-dozen of Mr. Soames's clerks.

The Committee divided:—Ayes 97; Noes 133.—(Div. List, No. 310.)

Original Question put, and agreed to.

Resolution to be reported.

Motion made, and Question proposed, "That a sum, not exceeding £9,487, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come

in course of payment during the year ending on the 31st day of March, 1890, for the Salaries and Expenses of the National Gallery."

SIR G. CAMPBELL: I have something to say in regard to this Vote, and as time does not now admit of my doing so, I will move that the Chairman report Progress, and ask leave to sit again.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir George Campbell.*)

MR. W. McARTHUR (Cornwall, Mid., St. Austell): I understood the right hon. Gentleman the First Lord of the Treasury to promise that on Saturday he will only take non-contentious business. I, therefore, assume that on that day he will not take the Diplomatic and Colonial Votes.

*MR. W. H. SMITH: I am afraid it will be impossible to satisfy both those hon. Members who want to take Votes and those who do not, but I will endeavour to-morrow to state some arrangement with regard to the Saturday Sitting, which, I hope, will be generally satisfactory to the House. If hon. Gentlemen are really desirous of making progress, they will be content to make some sacrifice of their own personal convenience.

MR. W. M'ARTHUR (Cornwall, Mid, St. Austell): I would point out that the House has now for several months been discussing the affairs of some 37,000,000 of people in these Islands, but there are 270,000,000 more under British rule whose affairs have not yet been touched. All I ask is that we shall not be called on to take the Votes I have named on Saturday.

MR. LABOUCHERE: The Diplomatic Vote is always regarded, not so much as a contentious Vote, but as one that requires to be discussed. I appeal to the right hon. Gentleman as a matter of fairness not to call upon us to take that Vote on Saturday.

*SIR R. FOWLER (London): I hope the right hon. Gentleman will not take the Colonial Votes on Saturday.

MR. H. H. FOWLER (Wolverhampton, E.): I trust the right hon. Gentleman will see his way to take Supply on Saturday.

*MR. W. H. SMITH: Some business must be taken on Saturday, and Gentlemen who complain that Votes are postponed are now asking for their further postponement. I desire the House to take notice of this fact.

MR. CHANNING: I have a notice on Class V. of the Estimates, and I am perfectly willing that it should be taken on Saturday.

Question put, and agreed to.

Resolutions to be reported to-morrow.

Committee also report Progress; to sit again to-morrow.

SUPPLY—CIVIL SERVICE ESTIMATES.

Resolution [9th August] reported.

CLASS III.

"That a sum, not exceeding £84,062, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, for the Salaries, Allowances, and Expenses and Pensions of various County Court Officers, of Divisional Commissioners and Magistrates in Ireland, and the Expenses of Revision."

Resolution read a second time.

Motion made, and Question proposed, "That this House doth agree with the Committee in the said Resolution."

MR. SEXTON: The latter half of the Debate on this important Vote was left unanswered by the Government, and there are some questions of importance and of pressing urgency which it is desirable to consider and determine before the Report of the Vote is agreed to by the House. I have first to refer to the case of the Divisional Commissioners. They are not new officials; they are familiar figures under a new name. They have been hitherto paid and employed under the style of Resident Magistrates, and in that capacity have received salaries of £1,000 a year, which is far in excess of the salary legally payable to a Resident Magistrate in Ireland. These payments have been continued for a series of years. The Auditor General has protested, and the Government have endeavoured to get rid of the illegality of the position by including these illegal payments in the Appropriation Bill, and this year they have plunged into a fresh illegality. It is true the Government introduced a

Bill dealing with the matter, thereby admitting the illegality of their course; but they did not press that Bill forward, and made no effort to get it passed. How, then, do they now endeavour to get out of their illegal position? Why, by a manœuvre that is almost unexampled. They have arranged that these officials shall cease to be Resident Magistrates, and shall become Justices of the Peace. The Lord Lieutenant has discharged them, at some date unknown, from their offices as Resident Magistrates, and has admitted them, also at some date unknown, as Justices of the Peace. But the men are the same, the duties are the same, and the salary, which it was illegal to pay to them as Resident Magistrates, is also the same, and is now made legal because of their change of office. We have asked for information concerning this manœuvre: we have asked at what date these men ceased to be Resident Magistrates and became Justices of the Peace; we have asked whether they paid the ordinary fees on being admitted as Justices of the Peace, and we have also asked to what counties they have been nominated; and, although we have put all these questions, to which we are entitled to have replies, the Chief Secretary has this evening attempted to move for a flimsy Return which evades the whole question, which gives us no information, and leaves us in precisely the same position as we were in before. But we shall press for this information, and I trust that, as long as the salaries of these Resident Magistrates are sought to be illegally paid, the Irish Members will resist their payment by every constitutional means, until the position of these functionaries, whatever they may be called, is regularised in due form and course of law. I imagine that the reluctance of the Government to give this information is due to an unwillingness to face a full and fair discussion such as is incidental to the progress of a Bill. What are the functions of these remarkable officials? Why, they are a kind of flexible buffer between the Executive and the public, and their function is to push the policy of violence against the public right to the extremest point, and to minimise the responsibility of the Government. Under this system what is called the responsibility of the Government to this House has gone to the vanishing point, and has practically ceased to exist. Under it there is no security for liberty, justice, or fair play to any political opponent of the Government in Ireland. These Divisional Commissioners get up cases, especially against public men, choose the Magistrates who are to try them and who also act as juries, and then present the evidence to the police whose promotion is in their hands. To put it shortly, these men make the charge, constitute the Judge and jury, produce the evidence, and reward the witnesses. There is nothing to compare with this in any part of Great Britain or of the civilised world; and the chance of justice and fair play on the part of any public man engaged in any political movement in Ireland in opposition to the Government has absolutely disappeared. I will refer to one or two of these functionaries. In the North we have Mr. Cameron. He is the man who broke into the empty homes of evicted tenants, and arrested them for forcible possession, and he is the functionary whose impartiality may be judged by the fact that he it was who gave misleading information to the hon. Member for South Tyrone, and led him to publish a false libel on the hon. Member for North Monaghan.

MR. T. W. RUSSELL (Tyrone, S.): What I said in Court was that having heard the statement, first of all from Mr. Olphert, I went to the village and consulted with the Divisional Commissioner and another gentleman, and it was because Mr. Cameron and the other gentleman were not able to give me the name, although they had heard of the incident, that I refrained from mentioning the name.

MR. SEXTON: At any rate, it was after a conversation with this man that the hon. Gentleman took upon himself to make a statement with regard to the Member for North Monaghan, which he was afterwards obliged to admit on oath to be false. In the West we have Mr. John Byrne, the hero of the Loughrea evictions; further South we have Captain Slacke, and in the County of Cork there is Captain Plunkett, who sounded the keynote of outrage in his famous telegram, "Do not hesitate to shoot." He and Captain Slacke en-

courage and promote those policemen who distinguish themselves by outrage, and repress and degrade those who are conspicuous for humanity and endeavour to perform their duties in a temperate spirit. During the greater part of the last year Captains Plunkett and Slacke devoted themselves to the service to the *Times*, and judging by the good account the Chief Secretary gave of the state of Ireland in their absence, I think it would be sound economy to save their salaries by transferring them to the *Times* altogether. To give the House an idea of the relations of these functionaries and the people, I need only refer to the case of my hon. Friend the Member for West Kerry, who has been described by Colonel Turner as a person who has been a persistent breaker of the law and a scurrilous traducer. If my hon. Friend were again to be tried for what in any other country would be called the ordinary exercise of his duty as a journalist he would be tried before Mr. Cecil Roche, who has said of him that he systematically insults the preservers of law and order, and the man to choose his Judge would be Colonel Turner; the Judge would be Mr. Cecil Roche. I ask the Chief Secretary for an explanation of Colonel Turner's conduct with reference to the Vandeleur Estate. Colonel Turner incited the landlords to promote eviction and to bring tenants from distant parts of Ireland to take the vacant farms in the place of the tenants whose title was ancestral. Colonel Vandeleur, who was a high-minded man, was about to settle a dispute with regard to one of his farms, when Colonel Turner interfered and prevented the settlement being carried out. What explanation can the Chief Secretary give of the letter written by Colonel Turner to another official, "Things will never be right in Clare until old Dynan and his villanous priests are removed"? How did Colonel Turner mean them to be removed? The only meaning which I can attach to the letter is that Colonel Turner desires that the police should know that he will be well pleased if the priests had their skulls cracked by batons, or if some of them can be hit by ricochet bullets, such as have been heard of at Mitchelstown. I challenge Colonel Turner to say that he did not mean his subordinates to understand that he would not be sorry if violence were done to the worthy Vicar General of the Diocese and his priests. I now come to the case of the Resident Magistrates, and first I will deal with that of Captain Segrave. That hero has been too much forgotten. His case acquires particular interest from the fact that my hon. Friend the Member for Mid Cork charged Captain Segrave in this House with having embezzled the funds of his regimental canteen as well as money confided to him by a private soldier to send to his mother. Immediately after that the hon. Member, who was never before interfered with on account of his speeches, was charged in respect of a speech which differed in no way from those of which no notice had been taken, and was sentenced to three months' imprisonment. I believe, and the Irish people believe, that it was not really for the speech that the hon. Member was prosecuted, but for having exposed the misconduct of an official of the Crown. Captain Segrave has been allowed to resign his appontment, from which he ought to have been dismissed with ignominy. I wish to know what was the date of the resignation, and whether Captain Segrave has been allowed to resign in order to enable him at a future time to re-enter the public service. What amount of salary has he been paid since the date of his exposure in this House? Another Resident Magistrate is a gentleman whose name is constantly appearing on the black list. There is Colonel Caddell, a gentleman of whose legal knowledge nobody is satisfied. Only recently he insulted a young girl who was at the time in the custody of the police. The discrepancy between his sentences is remarkable, emergency men being treated with exceptional leniency. Out of the 75 Resident Magistrates whose names appear upon the Return of last March there are only 33 of whose legal knowledge even the Lord Lieutenant is satisfied, while the legal knowledge of the remaining 42 gives no satisfaction to any one in the world. Twelve Magistrates have been selected by the right hon. Gentleman the Chief Secretary for their legal capacity. Only three of them are barristers, eight are retired officers

and one had no occupation at all previous to being appointed. One of the 12 is Mr. Cecil Roche. It is true that that Gentleman was appointed by Lord Spencer, but when his term of office expired it was not renewed. The career of Mr. Cecil Roche under Lord Spencer was a downward career. Under the right hon. Gentleman it has been an upward career. The case, then, stands thus. Out of 75 Magistrates, there were 21 of whose legal knowledge Lord Spencer was satisfied; 12 of whose legal knowledge the right hon. Gentleman has been satisfied; and 42 without legal knowledge at all. Seven Magistrates have been chosen by the Lord Chancellor to hold private inquiries, five of whom are simply ex-constabulary officers, whose names have been most closely connected with the conspiracy of the *Times* against the Irish Members. I contend that this selection of the Lord Chancellor is a deliberate misuse of the authority confided in him by the House. If these Magistrates were, as the Chief Secretary contends, judicial officers, and not mere agents of the Executive, I would ask the right hon. Gentleman to turn over in his mind a few short and simple questions. Is it not the fact that, after his speech at Manchester in which he complained of the inconvenience of long sentences resulting in appeals, these Magistrates all over Ireland at once and simultaneously adopted a new system? Did they not defeat the constitutional right of appeal by inflicting short sentences? They did that because they took the right hon. Gentleman's speech as a direction, and because they felt their promotion would be imperilled if they did not do so. Then there is another curious fact, that the Resident Magistrates never disagree. They have been sitting in couples for two years or more under the Coercion Act, and they have tried thousands of cases. Why is it that two of these Resident Magistrates have never disagreed? There may have been one occasion on which they disagreed, but that one occasion serves to prove the rule. This agreement can only be explained on the theory that these Resident Magistrates do not pretend to regard themselves as judicial persons, but rather as the instruments and agents of the Government to carry out the policy of the Chief Secretary. They feel no more at liberty to disagree than two policemen on a beat. They agree because they have their orders. They know the cases in which it is desired by Dublin Castle that they should convict, and those in which a conviction is not considered essential. If there were no other fact before the House, the fact that these Magistrates always display such remarkable unanimity in agreeing upon convictions is not to be accounted for, except by the knowledge that they are not Judicial persons but are instruments, agents, servants, "Uncommercial Travellers," as perhaps Dickens might have called them, sent by the Executive to various parts of Ireland to carry out a certain line of policy and attack against the national movement. There is one other question I have to ask. Why is it that no Resident Magistrate since the Coercion Act was passed has exercised the legal power of directing that a prisoner should be treated as a first-class misdemeanant? A Crimes Act prisoner was so treated in one case by the order of a Magistrate in Dublin. He was a Magistrate who was independent of the Executive, because there was no power to remove him. But he never got another case to try. The reason is obvious. The Government would not commit another trial to the care of a Magistrate who had dared to exercise his legal power in the direction of leniency and moderation. The Resident Magistrates act on the understanding that the policy of the Chief Secretary for Ireland is a policy of cruelty. I must say a few words on the case of Mr. Conybeare. Mr. Conybeare and Mr. Harrison, of Oxford, were tried together on the same charge, and the same evidence was offered against both. Mr. Harrison was not convicted. Everybody in Dublin knew in advance that he would not be—for it is a curious comment on the policy of these tribunals in Ireland, that in many cases the public have knowledge of the judgment before it is delivered. The hon. Member for Camborne (Mr. Conybeare) told me in this House that a relative of his own in Dublin had heard the Irish Attorney General say at a social gathering in Dublin that Mr. Harrison, whose trial had not yet come

off, would not be convicted because official steps had been taken to that end. Mr. Harrison had influential Tory relatives, and the Resident Magistrates were instructed not to convict. Mr. Harrison was acquitted; Mr. Conybeare, on the same evidence, was convicted. The case was taken into the Court of Exchequer. One member of that Court, the Lord Chief Baron, expressed the opinion that the conviction was bad, while another member of the Court had grave doubts on the point, and Mr. Baron Dowse confessed to being "bewildered." Is a Member of Parliament, under such circumstances, to be kept for the full term of his sentence in a gaol from which three persons have recently come forth to die? When I refer to the policy of cruelty I cannot help saying it is shameful that, although Mr. Conybeare is suffering from injured eyesight and failing health, the Prisons Board will not put up a few planks so that he may have the opportunity of exercise in the open air in wet weather. Now, Sir, I ask whether this sentence is to be carried out to its full extent? I think the country will form the opinion that it is not creditable that a Government, which was able only to obtain a majority of four upon a critical question involving the interests of Mr. Conybeare's constituents amongst others, should keep him confined in prison. I suppose it is useless to address an appeal to the Government at a moment when its majority has fallen so low and when five Members of the Opposition are safely stowed away in Her Majesty's prisons. The last case I have to deal with is that of Dr. Tanner. It is now quite clear, from the judgment of the Court of Exchequer, that the Magistrates had no jurisdiction to try him at all on the occasion in question. It is also clear that the Magistrates exasperated Dr. Tanner by their demeanour, and by ordering his counsel (Mr. T. Healy) out of Court. When my hon. and learned Friend was expelled from Court, two of Dr. Tanner's witnesses, the ex-Mayor of Cork, and Mr. Welsh, the Harbour Commissioner, believing the case to be at an end, also went out of Court. The ex-Mayor of Cork went into the box to give evidence but was turned out of the box. Father Humphreys, a third witness, was present, and ready to swear that Dr. Tanner had not committed the offence with which he was charged. He made the most harmless observation in Court. He was affronted by the Magistrates, and felt there was no course open to him but to leave the Court. Dr. Tanner, I say, was worked up into a state of exasperation, and addressing the Court, which had no jurisdiction, he used language which was disagreeable to it. The Magistrates never cautioned him or named him, but listened to him in silence. Why did they remain silent? Because a trap had been laid and Dr. Tanner was falling into it. They retired from Court and came back in 15 minutes with an elaborate document which the ex-Indian official and ex-artillery officer could not have drawn in 15 months, much less in 15 minutes. I say, Sir, that the whole proceedings of that day offer conclusive evidence of a plot between the Executive and the Magistrates to entrap my hon. Friend the Member for Mid Cork (Dr. Tanner). I do not think even the right hon. Gentleman the Chief Secretary will argue that these obscure persons in Tipperary could have hit on the idea of that warrant, founded on a jurisdiction which had never before been exercised in any solitary case, and could have drawn it up in 15 minutes. The warrant for contempt was drawn up in collusion with the Executive in Dublin Castle, in the expectation that my hon. Friend, being a man of quick temper, and of no considerable restraint of language, would use language which would be considered as constituting a contempt of Court. It was impossible for my hon. Friend to give sureties, because by doing so he would have pronounced judgment on himself. I am, however, saved from arguing that question, because the Lord Chief Baron said from the Bench that nothing would induce him to give security to keep the peace. While the Chief Baron declared that the jurisdiction of the Magistrates technically existed, he expressed his regret that the Court of Exchequer was not entitled to inquire whether there had been contempt at all, or whether, if there had been jurisdiction, it was fairly or properly exercised. He spoke of the jurisdiction in terms of disapproval and disgust. He declared

that it was a glaring anomaly, and appealed to the Legislature to remove a most odious and intolerable tyranny. My hon. Friend has been sent to prison as an untried prisoner, and I have a letter from him in which he says that his treatment is worst than the treatment of a first-class misdemeanant. Well, Sir, if these things are to go on, we need not say anything more about the Coercion Act; that is merely a trifle in comparison. I hear this very day of a man, who was guilty of the offence of nodding and winking at a fair where some pigs were being sold, having been sentenced to two terms of three months' imprisonment, and, in addition, to two terms more in default of bail. Under the Coercion Act there must at least be a charge made and some evidence heard; but under this new-found, but very old jurisdiction, any two agents of the right hon. Gentleman, without any charge being made, or without hearing any evidence or any defence, may take up the position that language has been used which is not sufficiently respectful, and call upon a man, perhaps for a fierce word inadvertently spoken, to find bail beyond the value of his whole worldly goods, or to go to prison for the term of his whole natural life. If the lawyers of the Crown in Dublin Castle are to be allowed to dig up these dustheaps of oppression, I do not see why they should not resort to pulling out teeth, or to the maiden's embrace, or to the boot, or the thumbscrew. Nay, I think that those forms of procedure would be more justifiable, because they have at least been exercised and were legal at the time; but in this case, assuming that the jurisdiction does exist, it is one which has never been used before. If the right hon. Gentleman allows the continuance of this new jurisdiction he will drive Ireland into a state of things in which despotism will no longer appear under the form of law. I shall feel it my duty to divide the House upon the Vote.

*THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR): I am one of those who entertain considerable admiration for the oratory of the right hon. Gentleman who has just sat down; but if the right hon. Gentleman will accept counsel from me it will be not to spoil his great gifts of speech by the exaggeration which so often mars them. I will take three examples of this. In the first place, there was the case of Dr. Tanner. The right hon. Gentleman said that Dr. Tanner was subjected to worse treatment than if he had been imprisoned for contempt. I believe that the right hon. Gentleman has been entirely misinformed. I believe that the kind of imprisonment to which Dr. Tanner is now subjected is precisely that to which he would have been subjected for contempt of Court. Whether that be so or not, I am certain of this—that the treatment which an untried prisoner receives is more favourable than that of a first-class misdemeanant. Then the right hon. Gentleman said that the Government had unearthed a musty statute with which to attack its political opponents. It is true that the statute of Edward III. has never been used with regard to misbehaviour in Court; but it is wholly incorrect to say that the statute has been allowed to grow rusty from disuse. It has constantly been used not only in this country, but in Ireland also.

MR. SEXTON: The right hon. Gentleman is entirely missing the point; my point is that it has never been used to send a person to prison for words spoken in Court.

*MR. A. J. BALFOUR: Does the right hon. Gentleman not see that if the statute has been used continuously in this country and in Ireland for dealing with various forms of misbehavour, it is at all events no extravagant exercise of authority to use it with regard to a particular form of misbehavour, which certainly cannot be described as otherwise than serious? Then there is another instance of the strange lengths to which the right hon. Gentleman is prepared to go in what he has stated with regard to County Court Judges. We are familiar with attacks on Resident Magistrates in this House on the ground that they are the servants of the Executive, and, therefore, cannot give independent judgments. But when the Government point out that the judgments of the Resident Magistrates are supported and confirmed by the County Court Judges, then calumny spreads, and the attacks formerly made upon the Resident Magistrates are extended so as to include the County

Court Judges. It is absurd as well as grossly calumnious to suggest that the Irish County Court Judges are influenced in the decisions they give by some vague hope—in support of which I know of no instances that has occurred—that they might in the remote future be removed by the Executive to some more convenient county or to some more highly paid place. The right hon. Gentleman must see that in making such a suggestion with regard to the administration of justice in Ireland he is overloading his case unnecessarily. The right hon. Gentleman commenced his attack upon the Government by referring to changes in the position of the Divisional Commissioners; but those changes were made on the recommendation of the Auditor General and of the Public Accounts Committee with the object of placing the office of those gentlemen upon a regular footing, instead of the irregular though perfectly legal footing upon which it had previously rested.

*MR. BARRAN (York, W.R., Otley): The Public Accounts Committee have for years denied that these were on a legal footing.

MR. A. J. BALFOUR: No doubt that may have been the opinion of the Public Accounts Committee, but I prefer to rely on the opinion of the Law Advisers of the Crown. Then the right hon. Gentleman referred to a charge which has been made against Colonel Turner, that he threatened a woman on the Vandeleur estates to prevent her giving up possession of her holding in order that a former tenant might be reinstated. The right hon. Gentleman has evidently been wholly misinformed with regard to the matter, because what Colonel Turner did was to inform the woman that if she did not wish to give up possession of her holding she would be protected in her legal rights—which is a very proper remark for a Magistrate to make. As to the letter attributed to Colonel Turner casting reflections upon the Irish priests, all I can say is that I have no knowledge of that letter, although I know that there are priests in Clare who do little honour to their cloth.

MR. COX (Clare, E.): I challenge you to name one. [*Cries of* "Order!"] Name one, or repeat what you have said outside the House. [*Cries of* "Order!" "Withdraw!" *and other interruptions.*]

*MR. A. J. BALFOUR: I have no knowledge of the particular letter referred to. The right hon. Gentleman went on to discuss the case of Captain Segrave. I did not interrupt the right hon. Gentleman, although he was irregular in discussing that case on the present Vote, because Captain Segrave's salary is not on the Votes of the year. All I can say with regard to that matter is that I should be unworthy of the position which I hold if I had dismissed an official upon telegraphic information received from the Cape.

MR. MAC NEILL (Donegal, S.): Forgive me for a moment. There are facts which the public ought to know. Parliament met on February 21, and two days after that date I produced a certified copy of the *Cape Mail* announcing the dismissal of Captain Segrave from the Cape. I told the Chief Secretary that he would find the facts at the Colonial Office, but it was not until March 21 that any steps were taken, and during the whole interval this cashiered officer was drawing the public funds.

*MR. A. J. BALFOUR: As a matter of fact I do not believe that he was drawing the public funds.

MR. MAC NEILL: With all respect he was. I have given special attention to the facts. The subject is as dear to me as the battering ram.

*MR. A. J. BALFOUR: I do not doubt the motives of the hon. Gentleman, but I do not think that the hon. Gentleman has grasped the details. I had indeed placed before me the statement of Captain Segrave's dismissal from the Cape, but I could not take any action until I had heard the circumstances under which that dismissal occurred. I did not receive the full details until March 21, and then Captain Segrave was permitted to resign. And while, having reviewed the case with some care, I thought that Lord Aberdeen would never have thought of appointing Captain Segrave had he known all that we now know. I also thought that Captain Segrave had been treated rather harshly by the Cape Government, and very harshly in the House of Commons.

MR. MAC NEILL: He was not appointed by Lord Aberdeen, but by the President of the Board of Trade.

*MR. A. J. BALFOUR: I expressed the opinion that Lord Aberdeen would never have thought of appointing Captain Segrave; and I repeat that that appointment, though carried into effect by the President of the Board of Trade, was practically settled before my right hon. Friend came into office. To pass to the case of Mr. Cecil Roche, the right hon. Gentleman the Member for West Belfast, with a considerable recklessness of statement, gave the House to believe that Mr. Cecil Roche had been dismissed by Lord Spencer from the office of Land Commissioner.

MR. SEXTON: I said no such thing. I assure the right hon. Gentleman that the recklessness of statement is entirely on his side. I said that when his term of office had expired he was not re-taken into employment.

*MR. A. J. BALFOUR: As a matter of fact Mr. Roche was re-appointed certainly once if not twice under Lord Spencer, so that the particular inference which the right hon. Gentleman wishes to draw appears to be wholly unfounded. If any one studies Mr. Cecil Roche's magisterial record as indicated by the results of the appeals from his decisions, there will be found no reason to doubt the impartiality of those decisions. According to the Official Return, from October 1, 1888, to July 31, 1889, Mr. Cecil Roche tried 35 persons under the Crimes Act. Of these 26 were convicted, and appeal was taken only in nine cases. None of the nine decisions were reversed; in two cases the sentences were reduced, two cases are still pending, and in five cases the sentences were fully confirmed. That is not a record of which Mr. Cecil Roche or his friends need be ashamed. Then the right hon. Gentleman attacked the appointment made by the Lord Chancellor of Ireland of Magistrates to hold secret inquiries. I assert that the secret inquiries held under the Crimes Act have done more to bring offenders to justice than any action of a similar kind taken in Ireland within historic times. If any hon. Member will look at the Parliamentary Return he will see that crimes of the gravest description, such as murder, firing and wounding, and moonlighting offences, have been detected and the perpetrators brought to justice through the instrumentality of the secret inquiries conducted by these Magistrates, in a manner which could not have been done under any other system. Instead of attacking the Government the right hon. Gentleman should congratulate us on the success of our efforts in punishing some of the most serious forms of crime. Then the right hon. Gentleman dealt with two other cases — those of the hon. Members for Camborne and Mid Cork. With regard to the former case, the right hon. Gentleman made the amazing statement that another gentleman, Mr. Harrison by name, who had been associated with the hon. Member for Camborne in his expedition to Donegal, was not convicted because, forsooth! he had Tory relatives. If the right hon. Gentleman can believe that he can believe anything. The right hon. Gentleman's credulity is limitless, and I must despair of ever converting him to habits of critical inquiry into the facts with which he has to deal. It is perfectly true that some cock-and-bull story was made public with regard to some statement made by an Irish official about the action that was going to be taken by the Resident Magistrates with respect to the trial of the hon. Member for Camborne and Mr. Harrison. But I believe that the hon. Member for Camborne was challenged to name the Irish official referred to, and the hon. Member was not able to do it. The right hon. Gentleman is repeating second-hand the story which the hon. Member for Camborne could not verify first-hand. With regard to the merits of the sentence passed on the hon. Member for Camborne, I would only say that there was an appeal from the sentence of the Resident Magistrate to the County Court Judge on the merits, and the County Court Judge upheld the sentence. There was a further appeal to the High Court on a point of law, and the right hon. Gentleman has read a large num-

ber of extracts from the judgment of the High Court with regard to the sentence. But the right hon. Gentleman did not state that the whole of the opinions of the High Court on this matter were on a purely technical aspect of the case. On the merits there never was a question, and nothing fell from any Judge of the Superior Court which could call in question the opinion formed by the Judges of the two inferior Courts. As to the case of Dr. Tanner I cannot conceive any person who really has taken the trouble to read the proceedings before the two Resident Magistrates doubting that on the broad and substantial merits of the case the action of the Magistrates was fully justified. I am unable to believe that anyone who surveyed the evidence impartially could come to any other conclusion. I am aware that the Court of Exchequer reversed the sentence; but on what kind of plea? On the merits of the case? No; but upon the most technical of technicalities—on a point which could not influence a rational man for a moment as to whether or not Dr. Tanner was guilty of the offence with which he was charged. We are, therefore, driven back to consider the evidence at the trial, and it is wholly in one direction. Every opportunity was given to the prisoner to produce witnesses. He produced one witness, who did not prove his case, while the witnesses for the Crown proved their case. ["They were all police," and "Order."] This is an illustration of the kind of attacks made on the Resident Magistrates. It is true that in certain other cases the decisions of the Magistrates have been reversed; but can it be maintained by anyone who has surveyed their action in regard to hon. Members of this House that in any one case they have done substantial injustice? Can it be maintained by any hon. Member of this House who has been convicted by a Magistrate that he did not commit the offence for which the Resident Magistrates found him guilty? The speeches of hon. Members are on record in Nationalist journals. I am aware that this is not legal evidence in a Court of Law, but the uncontradicted reports in their own journals are surely evidence on which this House can come to some kind of conclusion, apart from evidence in a Court of Law. Whether hon. Gentlemen are justified in attacking the Crimes Act or not, this broad fact remains, that the alleged offences have been committed; and if hon. Members have broken the law, whether they approve the law or not, they must remember at all events that the law they have broken is the law of the land.

SIR W. HARCOURT (Derby): I waited with curiosity and anxiety to hear what the Chief Secretary for Ireland would say on the question in reference to the case of Mr. Conybeare and Dr. Tanner. I believe I can speak of these hon. Members by name while the Chief Secretary keeps them in prison; and I am bound to say the right hon. Gentleman spoke of these cases in the harsh grating provocative tone he always adopts, adding the harshness of his language to the severity of the punishment. He does not deny that the sentences are severe; he does not deny that the judgments of the Magistrates in both cases were unfavourably commented upon by the Superior Courts.

*MR. A. J. BALFOUR: The right hon. Gentleman attributes to me words I did not use. It was not my business to express an opinion whether the sentences were severe or not, but as the right hon. Gentleman challenges my opinion, I have no reason to think they were.

SIR W. HARCOURT: If the sentences were ten times greater, if it were possible to inflict sentences of ten years' penal servitude, the right hon. Gentleman would not think such a sentence too severe or vindictive to be passed upon a Member of Parliament of the Nationalist Party. The right hon. Gentleman will not deny that these sentences have been severely commented upon by the Superior Courts, but he meets these comments by saying, "Oh, these are technicalities." But is not every point of law a technicality? What the Judges commented upon was that the Magistrates did not take an accurate or just view of the law, and I

cannot conceive a severer condemnation in respect to persons charged with the liberties of men than that they acted recklessly or in ignorance of the principles of law which ought to guide them. But the question here is not the Resident Magistrates or the Superior Courts, but the Executive Government in dealwith this question. I say that no English Secretary of State would have allowed men to remain under a sentence of this character when the judgment upon them had been criticised in a manner in which this judgment has. In the administration of criminal justice in this country, and the conduct of the Government towards it, no man sentenced to imprisonment in England by Justices whose conduct has been commented upon, as in this case, would be allowed by the Secretary of State to remain under sentence of this character. The infliction and execution of sentences which do not carry public opinion with them produces more evil than good. These sentences against Mr. Conybeare and Dr. Tanner, so far from carrying with them any sentiment of respect for the law, shock every man of ordinary judgment or feeling. Many persons consider them extremely harsh; and, considering that the Judges of the Superior Court have commented upon the manner in which they were passed, I affirm that in England these sentences would have been relaxed and even remitted. It is deeply to be regretted that the principles of the administration of the law and the mitigation of it by the Executive Government are not the same in Ireland as in England. There is every disposition on the part of Magistrates to strain the law and to pass exorbitant sentences, and there is every disposition on the part of the Executive to enforce these sentences and to carry them out in the harshest possible manner. In England the Magistrates and the Executive lean to mercy rather than severity. There is a well-founded belief that Derry Gaol is unhealthy, and that there is typhoid fever in it.

*Mr. A. J. BALFOUR: I refrained from dwelling on that point, but the right hon. Gentleman is mistaken in his facts.

Sir W. HARCOURT: Let the House be told the facts and not go on asking questions from day to day. Mr. Conybeare may catch fever while we are talking about it. If there is a suspicion on that point the Irish Executive ought to have taken the first opportunity of removing Mr. Conybeare.

*Mr. A. J. BALFOUR: There is no suspicion.

Sir W. HARCOURT: This is the first time the right hon. Gentleman has made that statement, although he has been asked day after day on the subject. When a comrade in this House is exposed in a pestilential gaol and the responsible Minister is asked about that hon. Member's health, he says, "Oh, I don't know, but I will inquire." That is not the sort of answer——

*Mr. A. J. BALFOUR: I did not give that answer.

Sir W. HARCOURT: That sort of unnecessarily irritating and provocative answer is part of what the right hon. Gentleman calls resolute Government. Look at the way in which Dr. Tanner has been treated. We all know he is a very excitable man, and Mr. Speaker, therefore, has treated him with exceptional forbearance, but the Chief Secretary's Magistrates, instead of treating him in that manner, made use of his infirmity in order to inflict a sentence of most extravagant severity, and the Chief Secretary exulted in it to-night. As long as we speak of and treat and regard Irish people in the way the Chief Secretary does in this House, we shall never have a contented people.

Mr. T. M. HEALY: I did expect the right hon. Gentleman the Chief Secretary for Ireland to have attempted in this House to justify the grounds on which Mr. Conybeare was sentenced. But in his speech, which occupied three-quarters of an hour, he did not give one clue to the reasons which had condemned the hon. Member for Camborne to be immured in this typhus den. I challenge any English Member, who no doubt will to his constituents justify the imprisonment of Mr. Conybeare, to get up and state of what

offence Mr. Conybeare has been convicted, or, knowing what that offence is, to get up and justify it in that House. The hon. Member for the Camborne Division has been sentenced to three months' imprisonment for administering two or three loaves to people about to be evicted, and this though, as the newspapers daily show us, one month's imprisonment is often regarded as adequate for the punishment of wife beating. The right hon. Gentleman has up to the present imprisoned 28 Irish Members—he has in the sporting language of the season had "a good bag"—and many of these have been sentenced by Mr. Cecil Roche, whom the Chief Secretary had eulogised. But it was Mr. Cecil Roche who about two years ago sentenced Mr. T. Harrington to six weeks' imprisonment for the alleged publishing in the *Kerry Sentinel* of reports of suppressed branches of the National League, notwithstanding that it was proved that about 10 years before Mr. T. Harrington assigned all his interest in the paper to his brother, Mr. E. Harrington, who at the time was undergoing six weeks' imprisonment for the same offence as that subsequently alleged against his brother. By a mistake of the clerk the assignment was not duly registered. Against that conviction a case was stated on behalf of Mr. T. Harrington, and it was sent to the Crown counsel; but from that day to this no attempt has been made to enforce this most iniquitous sentence of this much eulogised removable. Either Mr. Harrington was guilty or not. If he was guilty why was not the case submitted to the Superior Courts; if he were innocent what a corrupt ruffian this man must be who sentenced him. Perhaps the secretary of the right hon. Gentleman, in reply to a correspondent, will give some little explanation of this strange case, and why that strange Magistrate has been upheld and promoted by the Executive. When the Government said that they have refrained from executing warrants against Irish Members until the Irish Estimates have been discussed, the hon. Member for West Ham told them that they had no right to do so. I would like to call attention to a case before Colonel Longbourne, reported in this day's paper. This gentleman has been appointed to the Ballinrobe district, but he tried a case at Fermoy. Probably hon. Members opposite do not know where either of these places are. I can tell them that it would take the great army of Ulster three days' forced march to get from Ballinrobe to Fermoy. The case was under the statute of Edward III., for using abusive language against a constable. There was not sufficient evidence for the prisoner to be bound to good behaviour; but what did Colonel Longbourne say? He said:—

"I consider it a very suspicious case; but there is not sufficient evidence to convict. People should be very careful how they wink in these days."

I would suggest to the hon. Member for Dover as a sort of coercion copy headline, "Woe to you who wink in these days." This is the class of men of whom the Irish Members are supposed to approve. Where is the appeal under this statute of Edward III.? There is no appeal from these sentences, and we ask the Government to-night whether they propose to leave the Irish people and their Representatives at the mercy of these Magistrates without any appeal whatever? I have a great respect for the Lord Chief Baron; but when I was ordered to give bail I refused, and was sentenced to six months' imprisonment. I confess that I would not do so again. I would give bail, and do the same thing again, only perhaps more cautiously. I regard the Government simply as a gang of conspirators, and the Executive and police and Magistrates simply as so many brigands and cut-throats. For my part, I see no advantage whatever in my friends, Dr. Tanner and others, playing the Government game and going to prison. There is a disadvantage, for when, as it did the other night, the Government majority falls to four, there is an appreciable value attaching to the votes of the five hon. Members in prison. The Government are supported by a solid phalanx of friends who are under sentence of death at the next Election; but the Irish Members will give them all the trouble they can; in the language of the statute of Edward III. they will "defame" them. We will proclaim them to be persons of evil fame, and

when the General Election comes we will ask the voters to put them under the rule of "good behaviour," and prevent you for a time from exercising these functions. I can understand your taking a dozen of us, putting us against a wall, bringing up a platoon of soldiers and giving the order "fire!" That would be an intelligible policy, for "when a man's dead, there's no more to be said." But the system you pretend to carry out is that of making the Irish people love you by heaping indignities on their Representatives—on men like Dr. Tanner, who, after all, represents thousands of people. As long as Dr. Tanner was a Conservative, a friend of Lord Bandon, a member of the Cork County Club, but spending money in the interests of the Tory Party, as his brothers now do, he was all right and had a most amiable temper. He would, doubtless, have made a most admirable Resident Magistrate. Why, he has a brother who is a major, and who remains to you as a very strong Conservative; and I would suggest that he should be put before the Lord Lieutenant and Lord Chancellor as a person of whose legal knowledge and experience those individuals might be satisfied; because gentlemen of this class are exactly the sort of men you make Resident Magistrates of. They are just the men who would have the supreme characteristic of being able to bind over to good behaviour the men who recommend the Belfast kidney paving-stone throwers to go and do their duty. Your's, however, is a game that two can play at. You may find it extremely convenient at the present time to have "removables" operating from one end of the country to the other, but no doubt it would be possible to get Magistrates as base as Roche and as irrational as Fitzgerald or Longbourne, even under a Home Rule administration. You can do almost anything with money; and there are a number of broken down gentry and landlords who would be very glad to take our pay—gentlemen whose estates have not been sold under the Ashbourne Act, but who have made bad bargains, and who may be had in sufficient numbers to deal with the hon. and gallant Gentlemen opposite and their colleagues. In the meantime, the game is yours; we admit it. Carry it on; do your best—do your worst.

Mr. T. M. Healy

What I protest against is this sickening veil of hypocrisy. The right hon. Gentleman the Chief Secretary is highly indignant with the right hon. Gentleman the Lord Mayor of Dublin for the extravagance of his language, and has stated that Dr. Tanner is not a first-class misdemeanant, but is, in point of fact, treated as an untried prisoner, and so, I suppose, is entitled to one or two ounces more of "skilly" than the other prisoners. It is the rule of the right hon. Gentleman the Chief Secretary to give the go-by to the main facts of the case and to fasten upon some little pin-point which nobody cares anything about, and which has only been touched on by the way. He then magnifies the matter to enormous dimensions and draws his Excalibur in order to annihilate it. The Government pretend that their anxiety is all for the good of the Irish people—that it is all in the interest of Ireland and the downtrodden population; only, they will not give the downtrodden population a chance of managing their own affairs. They are proceeding with an extravagant amount of energy, and we are having the country developed by them. They appoint all these Magistrates to carry out their policy, and they cannot afford to tell the truth about what they do. They must play the hypocrite; and so long as they do that so long will we come forward and expose them. The right hon. Gentleman the Chief Secretary has lately been boasting how completely he has pacified Ireland—at least if he has not said so by word of mouth he has said it by his permanent conduit pipe; because we have had the right hon. Gentleman the Member for West Birmingham recently giving a garden party and have heard, under the influence of tea and muffins, what extraordinary strides have been made by the Irish people in the direction of prosperity and peace. I do not know whether the right hon. Gentleman the Chief Secretary will back up the statements of the Sage of Birmingham, but these are matters which are taken note of in the "Black Country." I may here say that I observe curious signs making their appearance in Ireland—remarkable signs; and if these operations on the part of the Government continue—operations against which there is no

appeal—if the pledges and promises of the Government continue to be falsified, and if Magistrates composed of ex-Sepoys, broken down barristers, Navy and Army men, and promoted policemen, are to be the persons to whom the Government are to entrust the liberties of a great portion of the Irish representatives, they will bring the people to see that the point of attack is the magisterial system, and, as always occurs when people are outlawed—for that is what is being attempted—the condition of affairs will become much more serious. The Government are showing them that there is no such thing as justice; they have produced a very unfortunate condition of the public mind, and while temporary prosperity may inspire some hope in the people's breasts, and may enable them to tide over a period which they view with great apprehension, there is at the same time being held over them the possibility of twenty years of "firm and resolute Government." While Ireland in the past was overridden by your *sabreurs* and dragoons, they, at any rate, were soldiers. They carried their lives in their hands against the Irish clansmen; but if these men, these wretched hirelings whom you can pick up in the purlieus of any quarter-master sergeant's rooms, if these men, whom nobody respects, are to be permitted to carry on the Government of the country, the Irish people—the Celtic race—will not permit them to carry on their operations unchecked. You are creating for yourselves an inevitable revulsion of feeling, and when the right hon. Gentleman has passed from his office and handed it down to his successor, it will be said, as is said now, that that successor is the most successful of all Irish Chief Secretaries, and while his friends are blowing his trumpet, they will say, "Balfour was an impostor; we have now got the right man." But when all this has happened, what will you have done for the consolidation of the Empire, for the establishment of peace, and for the prosperity of the people, both the English and Irish at home and abroad? Absolutely nothing. Your policy is a barren policy, foredoomed to failure, and if Englishmen opposite were wise, instead of sitting silent behind a Minister whom at heart they cannot support, they would get up boldly and give expression to their true opinions. We have heard a great many Debates on these subjects in this House, but we never hear what the Tory Party have to say. We see them go into the Division Lobbies, but they never give us the opportunity of judging of their intellectual calibre. If hon. Gentlemen can fairly support the policy of the present Government let them give expression to the faith that is in them, and do not let them be content to servilely follow a Minister who has led them into as fatal a course as ever despot pursued against the interests of the people.

MR. GILL (Louth, S.): I cannot allow this Debate to close without referring to one or two remarks which have fallen from the right hon. Gentleman the Chief Secretary. Every sentence delivered by him is singular enough; but I do not think we have yet witnessed anything so singular or so utterly beyond what might have been expected as the extent to which he has gone this evening. I would remind him that the charge against Captain Segrave was brought forward several times in this House and was proved against him.

*MR. SPEAKER: Captain Segrave was referred to, but as his salary is not mentioned in this Vote the reference to him is out of order.

MR. GILL: I will not, then, refer to the right hon. Gentleman's justification of the conduct for which Captain Segrave was first cashiered from the Army, and is now suspended from service as a Magistrate in Ireland; but I will allude to what the right hon. Gentleman has said in regard to the charge against Colonel Turner. Colonel Turner was charged with writing what I pronounce to be one of the most infamous documents that ever passed between one Irish official and another. That was a letter in which Colonel Turner described one of the most venerable priests in all Ireland and the body of clergy by whom he is supported in language which could only come from the lips of a blackguard. He referred to the Very Rev.

Dr. Dinan, than whom in the whole Irish nation no more respected clergyman exists, in these terms:—

"The peace of this district will not be restored until old Dinan and some of his villainous priests are removed."

This, I say, is the language of a ruffian and a blackguard. But when this letter is charged against Colonel Turner what is the reply of the right hon. Gentleman? Does he reprobate that language or does he deny it? The right hon. Gentleman practically endorses the statement and justifies the ruffianly language by levelling other reckless charges against the priest of Clare. He has levelled a most provocative and reckless insult against a body of clergymen, than whom there are no more respected men on the face of the earth, and I challenge the right hon. Gentleman to name a single one of these priests who comes justly under the description given by Colonel Turner. He has not the courage to do so, and I brand that conduct as blackguardly. Indeed, it is difficult for me to find words adequately to describe it. Now, Sir, another charge which has been made against Colonel Turner has not been answered, and that is the charge of going to a tenant on the Vandeleur estate, and urging that tenant—or rather the mother of the tenant—against the wishes of the landlord, and against the desires of the other tenants, as well as against the interests of peace and order in the district, to hold possession of a farm and to resist the complete settlement likely to be arrived at by arbitration. The right hon. Gentleman does not deny that Colonel Turner went to the tenant. He says that Colonel Turner merely told her that she would be protected by the law in holding possession of her farm. But what business had Colonel Turner to do anything of the kind? Why should he seek in this way to prevent a settlement being arrived at? I say that, in that case, he deliberately took the only step in his power to prevent a successful issue to the efforts to bring about harmony between landlord and tenant, and that he took up an utterly unworthy position. Reference has been made to the cases which have been tried under the Act of Edward III., and I should like to point out that during the last three weeks, there has been a regular recrudescence of prosecutions under that Act. I believe that there have been no fewer than thirteen cases. What is the meaning of it? Is it that the Coercion Act having failed in its purpose, the Government have felt bound to fall back on this old Act? They have not succeeded in crushing the Irish people with Coercion, and, therefore, they have had to take this step.

MR. AIRD (Paddington) rose in his place and claimed to move "That the Question be now put," but Mr. Speaker withheld his assent, and declined then to put that question.

Debate resumed.

MR. W. REDMOND (Fermanagh, N.): I join heartily in the protest which has been made from these Benches against the appointment of men to administer the law in Ireland who command no confidence in the people, and I must say I am surprised that a Member for a Metropolitan constituency who never distinguishes himself in Debate in the House should get up and move the Closure on this question. Throughout the length and breadth of this land people are now beginning to understand what it is that makes the Irish people so discontented. They realise that the law is administered by men who are incapable of administering it fairly and impartially, that it is administered by a pack of bravos. I think if anything is required to give an impetus to the Debate to-night, it will be found in the conduct of the Chief Secretary, and in his references to the priests of County Clare. One of his Resident Magistrates has spoken of these priests as a "pack of villains," and when complaint is made to the right hon. Gentleman of the use of language of this character with regard to a most respected body of men, what does the right hon. Gentleman, who is responsible for the Government of Ireland, say in reply? Does he deprecate the use of language of that kind? No, we do not hear a single word of condemnation come from his lips. Instead of that, he adds to the insult by declaring that the priests of Clare have disgraced their cloth.

*MR. A. J. BALFOUR: Perhaps I may be allowed to point out that I said there were some priests in the County of Clare who were not a credit to their cloth.

MR. W. REDMOND: Then I venture to assert it was the duty of the right hon. Gentleman to specify those priests to whom he alluded, and not to level an insult against the whole body of the clergy in that county. I must say I do not think that Colonel Turner, whose cause the right hon. Gentleman is championing here to-night, will have cause to be very much obliged to him for the language he has used. Of course one is bound, as far as possible, to keep within the limits of Parliamentary decorum, but I think the right hon. Gentleman would not dare, in any public place in that land of which he is the chief ruler, or before any audience of Irishmen in County Clare, to repeat the utterances which he is privileged to make on the floor of the House of Commons—he would not dare to use language of that kind, for if he did, he would probably require an extra force of police to protect him from the rotten eggs which the people would assuredly use against him. Who are these Resident Magistrates? If I were prudent I should not say a word against them which would increase the prejudice they already have against me. They have already given me three months' imprisonment for nothing at all, except saying three words on the impulse of the moment. One of the Magistrates who did that was a civil engineer and the other an ex-constable, and these are the men of whose legal knowledge the Lord Lieutenant is supposed to be satisfied. With such lawgivers can you expect the Irish people to have anything but an utter contempt for your Government and your administration. These Magistrates do not even know how to conduct a trial in an ordinary manner, but they surround themselves with police, and the general public are refused admission to their Court. Mr. Cecil Roche, to my knowledge, threatened some people who, whether rightly or wrongly, were defending their homes, that if they did not come out he would make it hot for them when they appeared before him next day. How can the Irish people expect fair and level-handed justice from such men as these, who baton the people one day and try them the next day? If the right hon. Gentleman the Chief Secretary ever shows his nose in Clare after insulting in a most unwarrantable manner the priests of the county, I would recommend the people of Clare to give him a warm reception.

DR. KENNY: I may say that I have looked through the Prison Rules and I certainly cannot find that what my right hon. Friend the Lord Mayor of Dublin said as to the prison treatment of the hon. Member for Camborne was in any way exaggerated.

The House divided:—Ayes 123; Noes 81.—(Div. List, No. 311.)

SEA FISHERIES (SCOTLAND) REGULATION BILL (No. 330.)

Motion made, and Question proposed, "That the Order for the Second Reading of this Bill be discharged, and the Bill withdrawn."

MR. MARJORIBANKS: In moving to withdraw this Bill I should like to press upon the Government the great importance of dealing with this question as soon as possible. I hope the Lord Advocate will take it into his consideration during the Recess, and bring in a Bill next Session.

Question put, and agreed to.

POLICE FORCES (SUPERANNUATION FUNDS).

Ordered—

"Address for Return for England and Wales, including the Metropolis and the City of London, of the strength of the various Police Forces; the number of Pensioners; the number who have left the Force during the past five years; the number of Men now serving over 50 years of age; the number who have served respectively over 25 years and over 30 years; the annual amount of Pensions, Particulars as regards those Pensioned, during the past five years, and of the number of Pensioners who have died during the past five years; Particulars of the Income and Expenditure of the Police Superannuation Funds for the Police year ended in or within the financial year 1888-9, and the amount of the Capital of the Funds as invested on the last day of the Police year."

DRAINAGE AND IMPROVEMENT OF LAND (IRELAND) BILL.

On Motion of Mr. Maurice Healy, Bill to amend the Law relating to the Drainage and Improvement of Land in Ireland, ordered to be brough in by Mr. Maurice Healy, Mr. T. M. Healy, and Mr. Chance.

Bill presented, and read first time. [Bill 379.]

BRIBERY (PUBLIC BODIES AND OFFICES UNDER THE CROWN) PREVENTION BILL (Changed from "BRIBERY (PUBLIC BODIES)PREVENTION BILL.",

Lords' Amendments to be considered upon Monday next, and to be printed. [Bill 380.]

(FORM OF RETURN.)

STRENGTH OF POLICE FORCES AND NUMBERS PENSIONED, &c.

Name of Force.		
Superintendents.	Mean Strength of Force.	
Inspectors.		
Sergeants.		
Constables.		
Superintendents.	Number in receipt of Pension.	
Inspectors.		
Sergeants.		
Constables.		
With Pension.	Of less than 15 years' service.	Numbers who have left Force during past five years.
Without Pension or Gratuity.		
With Gratuity.		
Dismissed.		
With Pension.	Of more than 15 years' service.	
Without Pension or Gratuity.		
With Gratuity.		
Dismissed.		
45 years and less than 50 years.	Number of Men now serving who are aged—	
50 years and less than 55 years.		
55 years and upwards.		
15 years and less than 20 years.	Number who have served—	
20 years and less than 25 years.		
25 years and less than 30 years.		
30 years and upwards.		
Annual amount of Pensions payable.		
Total number pensioned during last five years.	Particulars as regards Men Pensioned.	
Their average age.		
Their average length of service in the Force.		
Their average Pensions.		
Number of Pensioners who have died during past five years.		
Average period for which their Pensions were paid.		

RECEIPTS AND PAYMENTS OF THE SUPERANNUATION FUNDS IN THE YEAR ENDED THE 29TH DAY OF SEPTEMBER 1883.

Name of Force.		
Capital.	Balance in hand 30th Sept. 1882.	Receipts.
Income.		
Interest received on Capital invested.		
Contribution from pay of Force.		
Deductions for sickness.		
Fines on Constables.		
Fines for assaults, drunkenness, &c.		
Fees for service of summonses, warrants, &c.		
Proceeds of sale of old clothing		
Proceeds of Capital sold out and instalments repaid.		
Other receipts.		
Deficiency met out of Rates.		
Balance due to Treasurer, 29th Sept. 1882.		
Balance due to Treasurer, 30th Sept. 1883.		Payments.
Superannuations.		
Gratuities.		
Amount invested during the year.		
Other payments.		
Capital.	Balance in hand 29th Sept. 1883.	
Income.		
Total available Funds, Capital, and Income, on 30th Sept. 1883.		
Remarks.		

And similar Return for Scotland.—(*Mr. Stuart Wortley.*)

House adjourned at twenty minutes after Two o'clock.

HANSARD'S
PARLIAMENTARY DEBATES.

No. 12.] SEVENTH VOLUME OF SESSION 1889. [AUGUST 24.

HOUSE OF LORDS,

Friday, 16th August, 1889.

SUCK DRAINAGE BILL (PRIVATE BILL).

On the Motion by the Chairman of Committees, Standing Orders No. XXXIX. and 143A be dispensed with in order to enable the Bill to be read the third time.

*LORD DENMAN briefly protested against the growing practice of suspending Standing Orders in order that Bills might be forced into law. He pointed out that if he pressed his opposition to the Motion to a Division, and secured a Teller, the House would be compelled to meet on a subsequent occasion, because the Standing Orders provided for the attendance of 30 Peers in order to make a Division effective, and at that moment there were not 10 noble Lords in the House. He did not propose to take that extreme course; but he thought it right formally to protest against this hurried legislation, which, he would mention, was always deprecated by the late Chairman of Committees, Lord Redesdale.

The Motion was agreed to, and the Bill read 3ª and passed, and sent to the Commons.

PALATINE COURT OF DURHAM BILL. (No. 71.)

Returned from the Commons with the Amendments made by the Lords to the Amendments made by the Commons agreed to.

GENERAL POLICE AND IMPROVEMENT SCOTLAND (ACT 1862.) AMENDMENT BILL. (No. 228.)

Read 2ª (according to order), and committed to a Committee of the Whole House on Thursday next.

POOR LAW BILL. (No. 195.)

Read 3ª (according to order) with the Amendments; further Amendments made; Bill passed, and sent to the Commons.

OFFICIAL SECRETS BILL. (No. 112.)

Read 3ª (according to order) with the Amendments; further Amendments made; Bill passed, and sent to the Commons; and to be printed as amended. (No. 232.)

PAYMASTER GENERAL BILL. (No. 208.)

Read 3ª (according to order), with the Amendment, and passed, and sent to the Commons.

COUNTY COURT APPEALS (IRELAND) BILL. (No. 104.)

Commons Amendments to Lords Amendments considered (according to order), and agreed to.

FEES OF THE HOUSE.

The Lord Chancellor acquainted the House that the Clerk of the Parliaments had laid upon the Table (pursuant to order of yesterday) a table of the fees of this House relating to Appeals, Claims of Peerage, and Claims to Vote for Representative Peers; the same was ordered to lie on the Table, and to be printed, and circulated with the Standing Order of this House relating to Appeals, &c. (No. 231.)

ARBITRATION BILL. (No. 97.)

Commons Amendment considered (according to order), and agreed to.

COINAGE (LIGHT GOLD) BILL.

Brought from the Commons; read 1ª; to be printed; and to be read 2ª on Thursday next.—(*The Marquess of Salisbury*). (No. 233.)

House adjourned at half past Four o'clock, to Thursday next, a quarter past Four o'clock.

HOUSE OF COMMONS,

Friday, 16th August, 1889.

QUESTIONS.

IRELAND—CAPTAIN PRESTON, R.M.

MR. BLANE (Armagh, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that Captain Preston, R.M., at Keady, County Armagh, on July 25th, refused an adjournment of certain cases for one month, and on application of District Inspector Starkie fixed the cases for August 8th; and that when the parties had gone to great expense and appeared in Court on August 8th, no Resident Magistrate was present, nor was the District Inspector present to prosecute; and, if he can state the reason of the absence of the Resident Magistrate and District Inspector?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I understand that on the application of the District Inspector the cases of assault on Wallace and others were adjourned by Captain Preston, R.M., and two Local Magistrates to the following Keady Petty Sessions, the 8th inst., on the ground that Wallace, who was injured, was unable to attend. There was an application to adjourn for a month and another for six weeks. The fact that the case was not proceeded with on the 8th was in no way due to no Resident Magistrate being present, as the Court was fully constituted by the attendance of two Local Magistrates, but solely to the unavoidable absence of the District Inspector who, as was explained in the Petty Sessions Court on the 8th inst., was in Dublin attending as a witness in a case of manslaughter.

THE STAFF OF THE ARMY.

COLONEL COTTON (Cheshire, Wirral): I beg to ask the Secretary of State for War whether it is the case that any officers of the Army Service Corps, unqualified by either Staff College certificates or by service on the staff in the field, have recently been appointed to important posts on the Staff of the Army, tenable hitherto only by officers qualified as above; and whether it is intended to abolish the Staff College qualifications for other branches of the Army?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): Officers of the Army Service Corps have not been appointed to any staff positions of which the duties have hitherto been reserved for combatant officers with Staff College certificates or service in the field. The distinction maintained hitherto between supply, transport, and finance duties and general staff duties has been abolished, and a portion of the former are now open to competent officers with the usual staff qualifications; but it is necessary that some or most of these appointments should be filled by men who have previously performed similar duties departmentally. Beyond providing for the changes thus indicated, it is not contemplated to alter the regulations affecting staff appointments.

IRELAND—LAND LAW AMENDMENT.

MR. BLANE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been called to a meeting of the labourers and cottiers of County Armagh, held at Derrycorr on 3rd August, in which, as reported in the *Lurgan Times*, they requested the Government to have the Land Law amended, so that whatever terms were given farmers in purchasing their holdings should also be conceded to the labourers for the purchase of their cottages and plots of garden, repayable in 49 years at four per cent interest; and, if the Government would consider the matter?

MR. A. J. BALFOUR: The Government are not aware of any meeting of the kind referred to in the question, and, moreover, I do not see that I can add anything to the reply which I gave to a question of the hon. Member on the 26th of July.

MR. BLANE: All I ask is that the right hon. Gentleman will give to the labourers the same terms as those which are given to the farmers.

MR. A. J. BALFOUR: The hon. Gentleman must himself see that it would be premature for the Government to pledge themselves in regard to the provisions of any Bill which they may hereafter bring before the House.

MR. BLANE: I merely ask that the same facilities should be given by the Government to the labourers as those which are given to the farmers. I do not ask for more.

BODMIN GAOL.

MR. T. M. HEALY (Longford, N.): I beg to ask the Under Secretary of State for the Home Department if his attention has been called to the fact that, on Wednesday, 3rd July, George Symons, aged 22, of Parc-Bracket Street, Camborne, after serving a month's imprisonment with hard labour in the Cornwall County Gaol, Bodmin, on a charge of day poaching, had suffered so much from the prison treatment that he was in a semi-unconscious state when brought home, and died on the following Monday; that he was much emaciated when released; that his own clothes, which he had to resume on leaving the gaol, were in such a damp condition that they were covered with blue mould; that no inquest was held, a certificate of death from inflammation being supplied by the medical attendant at Camborne; and will the Government order any inquiry?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): It appears that George Symons, on admission to prison, was pronounced fit to undergo his sentence of one month's imprisonment; that during his imprisonment he made no complaint to the Acting Governor or to the prison doctor; nor, indeed, when he was seen by them the day before his discharge. He left the prison on Wednesday, July 3rd, in good spirits; and the senior officer reports that his clothes were clean and dry, and that he made no complaint as to their condition. His death on the following Monday was, according to two local newspapers, attributed to excessive eating. No grounds for an inquiry seem to exist in this case.

DR. KENNY (Cork, S.): Does it not follow that if excessive eating followed the release from prison the man must have been starved in gaol?

[No answer was given.]

IRELAND—DERRY GAOL.

MR. BLANE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if John M'Gee, who died at Dunfanaghy, County Donegal, on his way home from Londonderry Prison, was suffering from typhus fever a considerable time before his discharge, and if his case had been reported to the Lord Lieutenant as being in danger of death before his discharge; if any Report were made that his health was impaired by the imprisonment, and what was the nature of the Reports sent, and the date of each; what was the date of his transfer to the prison hospital; how long was he there, and under what circumstances was he sent back to his cell; how long was he in his cell suffering from fever; and, will the Government lay the Medical Reports of the case upon the Table of the House?

MR. M'ARTHUR (Cornwall, Mid, St. Austell) put a question on the same subject, and added that he had received a telegram from Derry informing him that the prison doctor had stated that Mr. Conybeare was suffering from skin disease.

DR. KENNY: With reference to the cases of M'Gee and Seyes, two of the Falcarragh prisoners recently confined in Derry Gaol, and who have died since their liberation, I wish to ask the right hon. Gentleman whether he can state the dates on which they first complained to the prison doctor, and the entries, if any, made in his report book by the doctor as to their respective cases; whether they were removed from their cells to prison hospital; and, if so, the dates on which they were removed, and whether the cells they had occupied were flagged or boarded, the diseases from which they were respectively suffering when

they were removed to hospital, if they were so removed, and the dates of their liberation; whether he can give similar particulars concerning the case of Diver, an untried prisoner from Gweedore recntly liberated in ill-health; and, whether inquests have yet been held on John M'Gee and Michael Seyes, and, if so, he can state the findings of the juries in each case?

MR. SEXTON (Belfast, W.): I have also to ask the Chief Secretary what account he can now give of the sanitary state of Derry Prison, and of the circumstances of the illness and death of John M'Gee and Michael Seyes, and the illness of Patrick Driver, all tenants imprisoned under the Criminal Law and Procedure (Ireland) Act, and lately released from Derry Prison; whether M'Gee was twice in the gaol hospital during his imprisonment, and on each occasion was sent back to ordinary treatment against his protest, and on the second occasion was too weak to dress himself; whether the prison records of his illness will be laid upon the Table; whether, at the time of his release, M'Gee was in a delirious condition, and fell down on being deprived, by the intervention of a warder, of assistance in walking out of prison; whether M'Gee died within 48 hours after his release; and, whether emergency men in charge of an evicted farm at Falcarragh, his native place, hoisted the Union Jack on hearing of his death?

MR. A. J. BALFOUR: The results now received of the special investigation made by the medical member of the General Prisons Board show that Londonderry Prison has, for at least a period of 20 years, enjoyed a remarkable immunity from the principal zymotic diseases. There has been no case of fever among the prisoners during that period, nor is there any now. A thorough examination of the sanitary arrangements has satisfied Dr. O'Farrell that there is nothing in the present condition of the prison which could be in any way injurious to health. From references contained in the questions, some hon. Members appear to be under the impression that the prisoners specially named in the question were under sentences imposed under the Criminal Law and Procedure Act. That is not the case. M'Gee and Seyes were convicted before a jury at the last Spring Assizes. Diver was an untried prisoner. Two prisoners convicted under that Act were recently discharged—namely, the Rev. Mr. Stephens, on the ground of ill-health (though he himself is understood to have protested that he was well), and F. Kelly, on the conclusion of his sentence. The prisoner M'Gee was in the prison hospital from the 1st of June till the 3rd of July, when he was transferred to his cell, as his further detention in hospital was not considered necessary. He was, however, still carefully looked after by the doctor in his cell, and, getting worse, he was again placed in hospital on the 24th of July, and detained there until the expiration of his sentence on the 8th of August, when he was discharged on his own demand. The doctor was most unwilling that he should go out. He specially warned him that he was not fit to travel, and he offered to get him into the County Infirmary if he was unwilling to remain in the prison hospital. M'Gee, however, insisted on going away, and refused to use the van provided for him, and, on his way home, travelled 20 miles on an outside car in inclement weather. An inquest in his case is proceeding. Seyes was discharged on the 13th of last month. He was then recovering from an attack of pneumonia of one lung, and through the recommendation of the medical officer, the remission of the remainder of his sentence had been granted, as it was believed that his recovery would be more rapid in his native air. At the time when the order for discharge was received, however, the medical officer thought that the prisoner was not fit to travel, and he urged him not to go. The prisoner, however, insisted on taking his discharge, and there was no power to detain him. He is said to have since died; but whether of fever or some independent cause is not known to the authorities. Diver, an untried prisoner, awaiting his trial on a charge of murder, was committed to prison on the 28th of February, 1889, and between that date and the 29th of July he was treated in hospital on three different occasions for spitting and passing blood. On the 29th of July he was discharged on bail on this ground, and

he is believed to be making a good recovery. There does not appear to be any reason to apprehend any risk of contagion in the case of the hon. Member for the Camborne Division, or any other prisoner.

MR. W. M'ARTHUR: Has the right hon. Gentleman received any information similar to that conveyed in the telegram to me—namely, that the doctor of the prison has reported that Mr. Conybeare is suffering from skin disease, and, if not, will he cause inquiries to be made?

MR. SEXTON: There is one part of my question which the right hon. Gentleman has not answered, whether on each of the two occasions that Mr. M'Gee was sent back from the hospital to his cell against his protest; whether, on the second occasion, he was too weak to dress himself; whether the prison records about his illness will be laid on the Table; whether at the time of his release he was in a delirious condition, and whether he fell to the ground when deprived of the support of the warders on leaving the gaol? I would further ask how it happens that Seyes and Magee were so ill as not to be fit to travel; whether Magee died in 48 hours after his release; and if an Emergency man did not raise the Union Jack at one of the houses at Falcaragh upon hearing of Magee's death?

MR. A. J. BALFOUR: There is no truth in regard to the Union Jack being raised. I believe that Magee died owing to an illness contracted through travelling on an outside car during inclement weather against the doctor's orders. I do not believe Magee was in a delirious condition when released, and there is no truth in the statement that when he was sent from the hospital to his cell he protested against that course being taken. The confidential Report of Dr. O'Farrell has been received, and I will consider the desirability of placing it on the Table.

MR. SEXTON: Also the prison records.

MR. A. J. BALFOUR: I do not think they will be required in addition to Dr. O'Farrell's Report.

MR. M'ARTHUR: Will the right hon. Gentleman say whether he has received a telegram about the health of the hon. Member for Camborne?

MR. A. J. BALFOUR: I have received no telegram. All these things are carefully watched, and I have no doubt that I shall receive full information.

MR. T. M. HEALY: Is not the right hon. Gentleman aware of the fact that the Government have been obliged to discharge four prisoners from Derry Gaol in the last three weeks owing to the condition of the building, and have not two of them died, the others being so seriously ill that they have been admitted to bail, although bail was previously refused? Under such circumstances, I request that an independent medical man may be sent to the gaol to investigate the condition of the prison.

MR. A. J. BALFOUR: I have not yet read Dr. O'Farrell's Report. I see no reason for ordering an inquiry, although no doubt there are circumstances which are still deserving of examination. But it has been found that the illness in each of the cases spoken of was not due either to the medical treatment or to the unsanitary condition of the prison itself.

MR. T. M. HEALY: One of the prisoners who is now dead was, prior to his imprisonment, as fine a young man as could be found in the whole country. It is precisely a similar case as that of the man Larkin, whose father was unable to recognise him after he had been in prison.

MR. A. J. BALFOUR: I do not think there are any grounds for an independent inquiry. No doubt there have been these unfortunate cases. Occasionally things of this kind must occur, but the death rate in Derry Gaol is much lower than the death rate in Derry town.

DR. KENNY: The fact that the death rate in the gaol is lower than that in the town does not amount to much. The right hon. Gentleman has not answered a portion of my question—namely, whether the cells are boarded or flagged. Will he give us the Reports to the Prison Board upon these cases, from beginning to end?

MR. A. J. BALFOUR: If I can see my way to lay the Reports upon the Table I will do so. They contain all the information the hon. Gentleman requires.

ALLEGED FRAUDULENT CLAIM ON INSURANCE COMPANIES.

DR. CAMERON (Glasgow, College): I beg to ask the Lord Advocate whether his attention has been called to the case of T. M. Bonar, of Staplehill, Bristol, who in October, 1888, insured himself against accidents with five different Insurance Companies, and in May, 1889, made claims against each of them for a broken leg alleged to have resulted from an accident sustained in Glasgow; and whether it is the case that two eminent Glasgow surgeons who examined the case deponed that Bonar's leg had never been broken, and that Dr. Campbell, the medical attendant whose name was appended to each of the five certificates sent in in support of the different claims, has deponed that his purported signature is in every case a forgery; and, if so, if he would state the grounds on which the Crown Office directed the public prosecutor at Glasgow not to bring forward the case for trial?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): My attention has been called to this case. It is the fact that an eminent surgeon who saw Bonar's leg was of opinion that it had not been broken, but he thought the injury sufficiently serious to justify the use of splints, and he granted a certificate upon which one of the Insurance Companies made a grant of £6 a week for two weeks. As this was the only sum of money actually obtained from any of the companies, and as it was paid upon the certificate which I have mentioned, and not upon the strength of any of those to which Dr. Campbell's name was improperly appended, Crown counsel were of opinion that a conviction would not be obtained, and that the circumstances, although highly irregular, were not such as to justify a prosecution.

NUISANCE AT KENSINGTON.

SIR ROPER LETHBRIDGE (Kensington, N.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the existence of a nuisance caused to some of the residents in the parish of Kensington by the burning of bricks in certain fields outside that parish; and whether Her Majesty's Government will promote or support legislation, with the view of making such nuisances removable by law?

*MR. STUART WORTLEY: The Secretary of State's attention has been called, by a memorial submitted to him by the hon. Baronet the Member for South Kensington, to the existence of the alleged nuisance. Apart from such remedies as may be open to individuals for injury to private rights, the abatement of nuisances in the Metropolis is committed by Statute to Local Authorities, such as Vestries and District Boards, and the Secretary of State has no power to initiate proceedings, except where the nuisance complained of amounts to smoke nuisance within the meaning of the Act of 1853, or where it is made to appear to the Secretary of State that the Local Authorities fail to proceed actively and impartially in noticing and suppressing nuisances. No pledge can be given as to legislation.

SIR ROPER LETHBRIDGE: In consequence of the answer of my hon. Friend, I beg to give notice that early next Session I will ask leave to bring in a Bill to deal with such nuisances affecting the Metropolis.

IRELAND—LAW AND POLICE—PAYMENT OF WITNESSES.

MR. O'HANLON (Cavan, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any complaint has reached him that Francis Sherlock, of Cootehill, who was a witness in a case against John Glennan and others on the 11th and 12th October, 1888, at Cavan, received a letter from the Clerk of the Crown and Peace to the effect that he had paid a cheque for 10s. 6d. not to Sherlock but to Buchanan; and whether this man will get paid his expenses out of pocket and loss of time also?

MR. A. J. BALFOUR: It appears that Buchanan forged the names of Goss and Sherlock to two cheques of 10s. 6d. each, which had been issued in payment of their expenses as witnesses, and entrusted to him for transmission to them. Buchanan was subsequently sentenced to six months' imprisonment for the forgery. In the circumstances, the Crown Solicitor was authorised on the 30th July to issue further cheques to Messrs. Goss and Sherlock for these amounts, which, I presume, they have

before this received. Mr. Sherlock put forward a further claim for expenses and loss of time, which, however, it was found, upon inquiry, could not be sustained as a charge against public moneys.

THE DUBLIN AND WEXFORD TRAINS.

MR. O'HANLON: I beg to ask the Postmaster General if it is a fact that the trains to and from Dublin and Wexford stop at a station only one mile from Newcastle, and that no letters are sent either way, but that the letters are carried on foot seven miles to Newtown Kennedy, at a very great loss of time and inconvenience to the traders; and, whether he will arrange that in future letters be lifted at Newcastle Station by the train service?

*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): The hon. Member is correct in stating that the trains to and from Dublin and Wexford stop at a station which is about one mile from the Newcastle Post Office, and that no letters to and from this office are conveyed by these trains. The correspondence is conveyed on foot between the Newcastle and Newtown Mount Kennedy offices, which are three miles apart. The morning delivery of letters commences at Newcastle at 7 a.m., and no improvement in this respect is needed. The day mail letters are delivered at 5 p.m., at the same time as the collection for the night mail takes place. An acceleration could be made in the hour of delivering the day mail letters, and a later hour for posting letters in the evening could be granted, if the train service were utilised; but the amount of correspondence is far too small to justify the additional expenditure which this alteration would involve.

BOROUGH BOUNDARIES.

MR. WOOTTON ISAACSON (Tower Hamlets, Stepney): I beg to ask the President of the Local Government Board whether, having in view the hardship inflicted upon small landowners by their being driven to the expense of opposing before a Parliamentary Committee the inclusion within a borough boundary of land of a rural character, he will make provision that the attention of Parliament shall be directed to any future case in which it is proposed to obtain an extension of the boundary of a borough by a Local Bill, instead of by application for a Provisional Order under "The Local Government Act, 1888?"

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): In the case of Bills promoted by Local Authorities dealing with matters under the jurisdiction of the Local Government Board, the Board, in accordance with the Standing Order, submit Reports to the Committees to which the Bills are referred. Attention would be drawn in these Reports to any proposal to extend a borough by Local Bill.

BELTED CRUISERS.

ADMIRAL FIELD (Sussex, Eastbourne): I beg to ask the First Lord of the Admiralty whether there is any truth in the statement of the *Times* correspondent of August 10th—namely,

"I must, however, call attention to the fact that in one of the belted cruisers of our squadron if the sheet anchor is let go there is absolutely no means of weighing it, as a six-inch wire hawser has been supplied in lieu of a chain cable. Nautical men will know what this means. And, further, if there is steam on the main engines it is also on all the auxiliary engines, as no stop-valves are fitted. Fires had to be put out the other day in order to make good a leak in a joint of the steam pipe of the capstan engine;"

and, if so, whether he will ascertain who is to blame for such shortcomings?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The allowance of chain cables at present supplied to the belted cruisers is 350 fathoms, and if proved to be necessary that amount will, after the manœuvres, be increased. The other statement with regard to the absence of stop-valves has evidently been made under a misapprehension, as there is a separate system for the auxiliary and main engines, and in no case would it be necessary to draw the fires in order to repair a leak in the steam pipe of the capstan engine.

IRELAND—FAIR RENTS IN NEWRY.

MR. BLANE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that Stephen M'Cann, of Lislea, Camlough, County Armagh, and 25 other tenants on the

estate of the late Mr. Edward Quin, of Newry, had their applications for having a fair rent fixed dismissed by Mr. D. Tuckey, B.L., at Newry Land Commission, and that, in the judgment, the Commissioners stated that the leases were dated between the years 1826 and 1832, the period covered by the two subletting Acts, and that the cases were dismissed owing to a defect in the Act of last Session, which did not embrace leases which contained no non-alienation clause; and, whether the Government would amend the law so as to cover the leases mentioned?

MR. MACARTNEY (Antrim, S.): Is not the right hon. Gentleman aware that I have introduced a Bill—the Leaseholders Bill—to remedy this defect, and that when I have repeatedly endeavoured to move the Second Reading, hon. Members below the Gangway opposite have always objected, and, under the peculiar circumstances of the case, will the Government give facilities for the progress of the Bill?

MR. A. J. BALFOUR: I believe that it is the fact that the Bill to which my hon. Friend refers does deal with the subject raised in the question of the hon. Member for Armagh (Mr. Blane), and my impression is that it has been objected to by hon. Gentlemen sitting in that quarter of the House. In reply to the question on the Paper, I may say that I have received no Report in regard to the cases mentioned. Personally, I should be extremely glad if the Bill of my hon. Friend the Member for Antrim (Mr. Macartney) were to become law.

GOVERNMENT DEPARTMENTS (TRANSFER OF POWERS) PROVISIONAL ORDER BILL.

MR. HOBHOUSE (Somerset, E.): I beg to ask the President of the Local Government Board whether the Provisional Order Government Departments (Transfer of Powers) Bill is to be abandoned in consequence of the Report of the Select Committee; if a similar Bill will be introduced next year; and, if not, how the Government propose to carry out the undertaking they gave last year to enlarge the powers of County Councils by transferring to them certain duties of the Government Departments?

Mr. Blane

*MR. RITCHIE: The hon. Gentleman will recognise that the Government have, by introducing the Government Departments (Transfer of Powers) Provisional Order Bill, fulfilled the undertaking under which they came last Session, and I regret that the Report of the Select Committee to which the Bill was referred precludes the Bill being proceeded with this year. No enlargement of the powers of the County Councils can take place without legislation, and I cannot give any assurance as to the legislation that may be proposed next Session.

MR. HOBHOUSE: I beg to give notice that on a future day I will call attention to this subject.

THE ULSTER AND TYRONE CANAL.

MR. JORDAN (Clare, W.): I beg to ask the Secretary to the Treasury whether the agreement of transfer, in accordance with "The Ulster and Tyrone Navigation Act, 1888," has been ratified; and, if so, when; whether the Company has yet received any money from the Treasury; and, if so, how much; whether the Company has yet executed any repairs or performed any work on these canals; and, if so, to what extent; and, whether in addition to the grant the Company has obtained or is seeking for a loan from the Treasury?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): 1. The agreement for the transfer of the Ulster and Tyrone Canals to the Lagan Navigation was completed on the 8th March and the transfer has been carried out. 2. The Company has commenced the work of repair, and has, I am informed, done about 25 per cent of the contemplated work. 3. The Board of Public Works has advanced to the Company out of the Parliamentary Grant the sum of £1,500. No loan has been or is in process of negotiation at present.

FOREIGN OFFICE LIST.

SIR GEORGE CAMPBELL (Kirkcaldy): I beg to ask the Under Secretary of State for Foreign Affairs whether the publication known as the *Foreign Office List*, with a large royal crown upon it, is a Government publication or is subsidised by the Government and edited by a Government official; if so, whether the Secretary of State has sanctioned its being made up in great part of trade

advertisements, and mixed and interleaved with such advertisements, so as to render it very troublesome to find indexes, maps, &c., hid among the copious advertisements of patent medicines, insurance offices, and other matters?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N. E.): The *Foreign Office List* is not an official publication, and is not subsidised by Her Majesty's Government. It purports to be edited by a member of the Civil Service. There is only one page of advertisements interleaved immediately before the maps and one before the Index at the end of the book.

SIR G. CAMPBELL: Have the publishers any authority for putting the mark of the crown upon this publication?

*MR. SPEAKER: Order, order!

HYDERABAD—BRITISH RESIDENT.

SIR GEORGE CAMPBELL: I beg to ask the Under Secretary of State for India whether Mr. Howell, having been appointed to the Hyderabad Residency at an exceptionally difficult crisis, and having acted in the capacity of Resident to the satisfaction of the Government for 18 months or upwards, has lately been removed because he differed from the Nizam's Ministers in regard to the grant of fresh concessions to the parties in London who obtained the Deccan Mines Concessions in collusion with the Nizam's representative; whether the Secretary of State in Council has disapproved of the arrangement so made, and referred it back to India; and whether, under these circumstances, care will be to maintain the independence of judgment of the British Resident?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): Mr. Howell was never appointed Resident at Hyderabad. He was in March, 1888, directed to officiate as Resident during the absence of the late incumbent of that office, and he continued in the temporary post until a successor was appointed. The Secretary of State has no reason to suppose that the non-appointment of Mr. Howell to the permanent office was due to any difference of opinion with the Nizam's Ministers in respect to the Deccan Mining Company. The Secretary of State has not disapproved of the arrangements made. He has no doubt that the Viceroy, in selecting an officer for the important post of Resident at Hyderabad, has exercised the discretion vested in him with due regard to the public interest.

UNQUALIFIED MEDICAL PRACTITIONERS.

MR. CAUSTON (Southwark, W.): I beg to ask the President of the Local Government Board whether his attention has been called to the report in the *Daily News* of 26th June of an inquest held at the Coroner's Court, High Street, Borough, on the body of a child named James Abraham Smith, when evidence was given to the effect that the child had been attended and prescribed for by an unqualified medical practitioner; that a qualified practitioner who had been called in and had declined to give a certificate, deposed to making a post mortem examination, which showed that death was due to narcotic poisoning; that a certificate was afterwards signed by another doctor who had never seen the child, but stated the cause of death to be dentition and convulsions; and, whether the Registrar General proposes to take any action in the matter?

*MR. RITCHIE: I have made inquiry of the Registrar General and am informed that the death of a child named Smith was registered on the certificate of Mr. Carr, a duly registered medical practitioner, who stated on his certificate that he had attended the child during its last illness, and that the cause of death was, to the best of his knowledge, "Dentition. Convulsions." From information received by the local registrar from other sources, he thought that the case was of a suspicious character, and sent information to the coroner. An inquest was held and a verdict found that the cause of death was narcotic poisoning, but whether caused by an overdose of prescription given by an unqualified practitioner there was not sufficient evidence to show. The coroner requested the registrar to inform the Registrar General that Mr. Carr had certified that he had attended the child, although he had in fact never seen it, the child having been attended by Mr. Carr's unqualified assistant. The Registrar General has asked to be furnished with a copy of the depositions.

He has not yet received them, and he has therefore at present no evidence on which to take action.

THE ROYAL DUBLIN SOCIETY.

MR. MAHONY (Meath, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Royal Dublin Society to whom in 1888 and 1889 sums of £5,000 were paid for the encouragement of the breeding of horses and cattle in Ireland, out of the share of the Probate Duties allotted to Ireland, is a body subject to any proper control; whether he will state how many bulls have stood for service under this Grant in the mountainous districts of Ireland where the poorer portion of the population reside; whether in such cases, if any, he will state the name of the place where the bull stood, and the breed to which he belonged; whether it is a fact that no stallion has stood under this Grant in the County Kerry either in 1888 or 1889; and, whether the County Kerry has been excluded from the scheme proposed for stallions in 1890; and, if so, whether he can state the reason for this systematic exclusion of the County Kerry from the benefits of this Grant as regards stallions?

MR. A. J. BALFOUR: I have not yet received a Report upon this question, and must therefore ask the hon. Gentleman to defer it.

THE DUTIES OF THE IRISH POLICE.

MR. MAHONY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the proceedings at a Court which was held at Kingscourt, County Cavan, on the 7th instant, presided over by Messrs. A. M. Harpur and H. Turner, Resident Magistrates, where Margaret Fitzsimons, of Tullybrick, was prosecuted for having taken forcible possession of the house from which her husband was evicted on 11th April last, and Sergeant Robert Backhouse, Royal Irish Constabulary, Kingscourt, deposed that on the day following the eviction he, on behalf of Samuel Eatkins, who had taken the farm, offered Mrs. Fitzsimons £15, if she would leave the premises; whether it is part of the duty of the police to act as agent for persons like Eatkins, and to facilitate their getting possession of evicted farms; and, whether he is aware that Mrs. Fitzsimons had Samuel Eatkins summoned for assaulting and threatening to shoot her, but that these summonses, having been postponed five times at Petty Sessions on the intervention of the police, pending the prosecution of Mrs. Fitzsimons, were finally dismissed by Mr. A. M. Harpur, Resident Magistrate, on the ground that Mrs. Fitzsimons was a trespasser, and that therefore Eatkins was entitled to take the law in his own hands and to assault and threaten to shoot her?

MR. A. J. BALFOUR: The Constabulary Authorities report that it is not the case that Sergeant Backhouse acted on behalf of Eatkins in the matter. Eatkins when reporting to the police that the farm had been retaken forcible possession of mentioned that he would gladly give Mrs. Fitzsimons £10 or £15 to leave quietly. The sergeant when on patrol duty at the farm stated during a friendly conversation with Mrs. Fitzsimons that it would be better for her if she left quietly getting at the same time this sum of money than to have to leave eventually without it. Mrs. Fitzsimons summoned Eatkins for an alleged assault. The case was postponed five times, at first on the application of Eatkins' solicitor on the ground that the Crown were considering a case of forcible possession against Mrs. Fitzsimons, and that it would be almost impossible to separate the two cases, and at the end of July Mrs. Fitzsimons further charged Eatkins with threatening to shoot her. All these cases were heard before Mr. Harper at Petty Sessions on 7th August. He decided that there was no evidence of the alleged assault or attempted shooting, and that Mrs. Fitzsimons was a trespasser. He did not say that Eatkins was entitled to take the law into his hands.

THE 3RD LEICESTERSHIRE REGIMENT.

THE MARQUESS OF GRANBY (Leicester, Melton): I beg to ask the Secretary of State for War whether he is aware that the 3rd Battalion Leicestershire Regiment, at their last annual training, was obliged to go to Stratford-on-Avon for its musketry course, owing to the refusal of the Volunteer Authorities at Ashby-de-la-Zouch to let the regiment in question use the ranges at Ashby, which are hired by the Volun-

teers; and that the cost of transport of the 3rd Leicestershire Regiment from Leicestershire to Stratford-on-Avon and back exceeded £240; whether it is a fact this refusal also extends to the 17th Regimental District Depôt; and, whether, if this is so, the War Office will consider the advisability of providing a range for the 17th Regimental District Depôt, and the 3rd Leicestershire Regiment, which will be within reasonable distance of their headquarters?

*MR. E. STANHOPE: The range at Ashby is private property, and the owner will not permit its use by the Regular troops and the Militia. The 3rd Battalion Leicestershire Regiment was, therefore, sent for musketry to Stratford-on-Avon as the nearest range available. Every effort has been made, hitherto without success, to obtain ground for a range nearer the headquarters of the regimental district.

THE TEMPLETON AND HOPE ESTATES.

MR. PATRICK O'BRIEN (Monaghan, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that a large number of the tenantry on the Templeton and Hope estates in the Castleblayney Union have had applications to have a fair rent fixed listed for hearing by the Land Sub-Commission for nearly two years, and which have not yet been heard; whether he is aware that the landlords of these estates are issuing ejectments against these tenants, with the purpose of depriving them of the right to have fair rents fixed; and whether he will cause the Land Commission to promptly afford facilities for hearing the cases of these tenants?

MR. A. J. BALFOUR: As I have not yet received a Report I must ask the hon. Gentleman to defer the question.

ORANGEMEN AND CATHOLICS.

MR. TUITE (Westmeath, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that on Saturday evening, the 3rd instant, between 7 p.m. and 8 p.m., an Orange fife and drum band from Ballymena stopped opposite the Roman Catholic church in the town of Antrim, and there, surrounded by a large crowd, obstructed the thoroughfare and played Party tunes, including "Kick the Pope," while the priests and people were at their devotions in the church; that, when the sergeant of police ordered them to move away, a member of the band used most insulting language and brandished a drum stick in the sergeant's face; and that the band, on going away, began to curse the Pope and make use of other insulting language in the presence of the police; whether this same band misconducted themselves in Antrim on another occasion within the last three years, when the police were chased into their barracks; whether any, and what, steps will be taken to prevent a repetition of this conduct and to protect the Catholic people from insult when attending devotions in their church; and whether he can state if there is any Roman Catholic holding the Commission of the Peace within the Petty Sessions district of Antrim, and, if not, why some of the eligible Catholics living there are not appointed Magistrates?

MR. A. J. BALFOUR: From the Constabulary Report received in the matter it would appear that the facts are altogether exaggerated in the question. So far as the police are aware, there was no Divine Service going on in the chapel. The parish priest was observed at the chapel door and afterwards at his house, and he did not inform them that there was any service going on. A drummer did shake his drumstick at the sergeant, but the band do not appear to have cursed anybody or used insulting language. It is not the case that this band ever chased the police into their barracks or committed any breach of the peace. The police will at all times take every possible step to prevent any interruption to Divine Service. There appears to be one Roman Catholic Magistrate who has attended occasionally at the Antrim Petty Sessions. The Lord Chancellor of Ireland is always ready to consider the names of any properly qualified Roman Catholics who may be recommended to him for appointment to the Commission of the Peace by the Lieutenant of the County.

MR. SEXTON: Is it not the fact that on a recent occasion when a Nationalist band defended themselves against an attack by the crowd, the bandsmen were all summoned? In this

case it appears that the band defied the police.

MR. A. J. BALFOUR: I have no information.

CATTLE DISEASE.

SIR EDWARD BIRKBECK (Norfolk, E.): I beg to ask the Vice Chamberlain if he can say whether the Lord President of the Council has received a copy of a Report agreed to at a special meeting of the Cattle Diseases Committee of the Central Chamber of Agriculture, again inviting the Privy Council to re-consider their intention to permit the importation of animals from Holland without the safeguard of slaughter or quarantine, which has been insisted on as necessary for the exclusion of contagious disease since 1877; whether in view of his statement that footh-and-mouth disease existed in Schleswig-Holstein as lately as 16th July last, and of the admitted existence of footh-and-mouth disease in other parts of Germany and in Belgium, the Privy Council remain satisfied that Holland can, by means of existing regulations, offer reasonable security against the possible passage of contagion through the Netherlands to this country if no precautions whatever are taken at the ports; whether he can inform the House of the precise date at which the Privy Council became satisfied of the reasonable security of the Netherlands; and, whether, under existing circumstances and in the face of the alarm very generally felt in this country, he can hold out any hope of the revocation of the Order admitting Dutch animals, or will at all events assent to a further postponement of its execution?

THE VICE CHAMBERLAIN (Viscount LEWISHAM, Lewisham): A letter has been received from the Central Chamber of Agriculture on the subject of the importation of animals from Holland without being subject to slaughter or quarantine. The Privy Council were satisfied at the date of the passing of the Animals Amendment Order on March 1 last that the Netherlands Government had complied with the provisions of the 5th schedule to the Act of 1878, paragraph 4, and having regard to the terms of the Act they felt that they had no option but to admit cattle from that country without being subject to slaughter or quarantine. Since that date nothing has occurred to alter the view their Lordships then took, and under the circumstances they do not propose to further suspend the operation of the Order.

SIR E. BIRKBECK: Arising out of the question may I ask whether, in view of the fact that foot-and-mouth disease exists not only in Germany but also in Belgium, attention will be called by the Privy Council to the Order of the 1st of March, at all events until the Board of Agriculture have considered the subject.

VISCOUNT LEWISHAM: The Board of Agriculture will have to be guided by the same Act of Parliament as the Privy Council.

PLEURO-PNEUMONIA.

SIR EDWARD BIRKBECK: I beg to ask the Vice Chamberlain whether, with reference to the detailed Return now in course of preparation relative to the cost of compensation for slaughter of animals in outbreaks of pleuro-pneumonia in the United Kingdom, he can state to the House the total sum accounted for as paid for compensation in England and Scotland respectively in each of the last three years, distinguishing the amount incurred in respect of diseased cattle, and cattle in contact with animals suffering from disease?

VISCOUNT LEWISHAM: The following amounts were returned as having been paid as compensation for the slaughter of diseased and healthy animals in the years 1886, 1887, and 1888, but in some cases in the two former years the amount received by the Local Authorities for the sale of carcases was not deducted:—England, 1886, diseased, £14,641 2s. 3d.; healthy, £7,809 11s. 11d.—total, £22,450 14s. 2d.; 1887, diseased, £10,534 10s. 10d.; healthy, £7,209 0s. 9d.—total £17,743 11s. 7d.; 1888, diseased, £10,260 15s.; healthy, £37,176 16s. 10d.;—total, £47,437 11s. 10d., together £87,631 17s. 7d. Scotland, 1886, diseased, £6,299 5s. 2d.; healthy, £8,832 0s. 5d—total, £15,131 5s. 7d.; 1887, diseased, £10,863 14s. 4d.; healthy, £15,657 1s. 10d.—total, £26,520 16s. 2d.; 1888, diseased, £3,005 12s. 4d.; healthy, £20,512 12s. 3d.—total, £23,518 4s. 7d., together

£65,170 6s. 4d. Total England and Scotland in the three years, £152,802 3s. 11d.

THE COINAGE.

SIR EDWARD BIRKBECK: I beg to ask Mr. Chancellor of the Exchequer whether it is a fact that the Bank of England have been instructed not to issue any more half-sovereigns at present, but to put into circulation instead as many double florins and crowns as possible; and whether, taking into consideration the serious inconvenience likely to arise therefrom to farmers during harvest he will at once allow the usual issue of half sovereigns to take place?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): No, Sir; instructions have not been given to suspend the issue of half-sovereigns altogether, but I have requested the Bank of England to limit the issue of this most expensive coin as far as possible, and in consequence of the numerous complaints made in this House and elsewhere with regard to the difficulty of obtaining sufficient silver coin, I have urged the Bank to do their best to meet these complaints. The proportion of half-sovereigns in circulation is immense. The remonstrance of my hon. Friend comes from the only quarter of the kingdom from which so far any murmurs have reached me. They have been stimulated by a circular from a private bank stating erroneously that I had altogether suspended the coinage of half-sovereigns. As to the question of inconvenience in the greater use of silver, I admit the possibility of somewhat greater trouble to bankers and employers; but, on the other hand, far from being inconvenient to those who receive the coin, in the great majority of cases one of the first things which the receiver of wages has to do is to change the sovereign or half-sovereign which has been given him, and that change in many quarters of the country has not been readily procured. I understand that an employer of labour in the eastern counties said he wanted £2,000 in half-sovereigns every week. That is more than any single individual has a right to demand of that particular coin. The wear and tear of a half-sovereign is nearly as great as that of a whole one. The percentage of loss, therefore, is nearly double on it. There are supposed to be £20,000,000 in circulation of half-sovereigns—*i.e.*, 40,000,000 of this coin. They may not circulate in equal proportions in all parts of the country; but the sum total seems to be much more than enough to perform the functions at present expected from this coin.

MR. H. H. FOWLER (Wolverhampton, E.): Have the Bank of England increased the circulation of double florins and double half-crowns, and will the right hon. Gentleman give directions to have the value of the coin stated on the reverse of either of those two coins, to obviate the difficulty which many persons experience in distinguishing between them?

*MR. GOSCHEN: There is practically the same difference between the four-shilling piece and the five-shilling piece in design as there is between the two-shilling piece and the half-crown, but no doubt the amount is not stated on either of the two coins. The matter has been brought to my attention, and if I could be sure that the circulation of this class of coin, which I believe to be not at all inconvenient to many of the working classes, would be increased by a change, I should be glad to consider the point.

MR. BROADHURST (Nottingham): Is the right hon. Gentleman aware of the great difficulty that has been experienced in obtaining small silver coins?

*MR. GOSCHEN: I have given an answer once or twice upon that point, but am glad to repeat it. There is a large stock of shillings and sixpences at the Bank of England. If they have not been circulated in the country so extensively as may have been desired, it has been because the bankers themselves did not pay them out to their customers. So far as the Mint is concerned there are large stocks of the coins, and the profit upon them is sufficient to make the Government desire to stimulate their circulation.

THE POSTAL TELEGRAPH SERVICE.

MR. BRADLAUGH (Northampton): I beg to ask the Postmaster General if he will state whether any, and what, classification prevails in the Postal Telegraph Service; whether the like classification prevails in all towns; and what

appointments are properly described as of the first class?

*MR. RAIKES: The hon. Member will find the classification of the telegraph staff fully set forth in a Parliamentary Paper, No. 286, ordered by the House to be printed on the 17th of June, 1881. The classification then approved applies to the central staff as well as to the staff in the provincial offices. Appointments which belong to the first class are those to which the highest class of duty appertains.

THE 4TH HUSSARS.

MR. LAFONE (Southwark, Bermondsey): I beg to ask the Secretary of State for War whether the Island Bridge Barracks were duly handed over to the 4th Hussars on their arrival from Cork, and that the headquarters, recruits, and married men were settled there; if the Royal Barracks were too unhealthy for the 5th Dragoon Guards, why the 4th Hussars are to be removed there; and, if they are removed from Island Bridge, whether the expenses incurred by the married men will be repaid them?

*MR. E. STANHOPE: The details of these removals are all arranged by the Commander of the Forces in Ireland, and I have not yet received a Report on the circumstances, and I would only now repeat what I said yesterday—that in the cavalry barracks in question there has been no recent case of fever nor any evidence of unhealthy condition.

THE CRAWFORD CASE.

SIR ROPER LETHBRIDGE: I beg to ask the Under Secretary of State for India whether the attention of Her Majesty's Government has been drawn to the indignation expressed by Sir Jamsetjee Jeejeebhoy and the Parsee community of Bombay at certain statements recently published in the Blue Book on the Crawford case; and whether any opportunity will be afforded to the author of those statements of publicly explaining them?

SIR J. GORST: No representation on this subject has been made to Her Majesty's Government.

THE BOMBAY-BURMA TRADING CORPORATION.

SIR ROPER LETHBRIDGE: I beg to ask the Under Secretary of State for India whether sanction has been accorded by the Secretary of State to the concession of a monopoly in the working of the forests of Upper Burma to the Bombay-Burma Trading Corporation; and whether the Correspondence on this subject, with the text of the contracts or agreements between the Government of India and the Bombay-Burma Trading Corporation, will be laid upon the Table of the House?

SIR J. GORST: The Bombay-Burma Trading Corporation were in possession of a monopoly, granted by the late King, at the time of the conquest of Burma. An agreement on the basis of the rights then possessed by the Corporation was made a year ago between the Corporation and the Secretary of State in Council. Papers on the subject, if moved for, will be laid on the Table.

SEIZURE OF FISHING NETS.

MR. ANGUS SUTHERLAND (Sutherlandshire): I beg to ask the Lord Advocate whether his attention has been called to the seizure of five fishing nets belonging to Martin Kennedy and Lachlan Curry, fishermen, in Loch-indaal, on the night July 23rd-24th, by Major Wise, a lessee of certain fishings in Islay; whether it is true, as stated, that the seizure of nets referred to took place half-a-mile beyond the protected line, and was consequently illegal; whether it is true that a fortnight after the seizure of the nets, Major Wise had not lodged any complaint with the criminal authorities, but retained the nets, and refused to deliver them to their owners; and, if, on inquiry, it appears that the appropriation and retention of the nets was illegal, in view of the frequency of similar treatment of fishermen by fishing tenants in the Highlands, he will instruct the Procurator Fiscal to institute proceedings in this case?

MR. J. P. B. ROBERTSON: I must ask the hon. Gentleman to postpone this question until next week.

THE MAILS TO THE NORTH.

DR. CLARK (Caithness): I beg to ask the Postmaster General whether he has received an excerpt from the Minutes of the meeting of the Magistrates and Town Council of Thurso on the unsatisfactory state of the conveyance of the mails to the North; whether it is

the case that the mail trains have been two and three hours late for several weeks; and why the Postal Authorities have ceased sending the sorting van to Wick?

*MR. RAIKES: In reply to the hon. Member I beg to say that I have received a copy of the Minute of the Town Council of Thurso on the subject of the Mail Service, and it is now under consideration. I regret that it is the fact that since the beginning of this month the night mail train has been very late, and strong representations have been addressed to the Highland Railway Company. The principal cause appears to be the pressure of the traffic owing to the large number of passengers proceeding to the North for the shooting season. The sorting carriages never proceeded so far North as Wick. But it is true that the journey was shortened last year in connection with the arbitration with the railway company, the reason for curtailment being that the advantage derived from the longer journey was not sufficient to justify the large expenditure which the continuance of the previous arrangement seemed likely to involve.

THE SEWERAGE SYSTEM OF DERRY —DERRY GAOL.

MR. MAC NEILL (Donegal, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether complaints have reached him that the sewerage system of Derry is a tide locked sewerage, and that the Corporation, although aware of the defects of this system, have deferred the question of the proper ventilation of the sewers indefinitely; also that the sewerage of the gaol runs into this defective sewerage of the city; and whether, inasmuch as the gaol is situated at the very summit level of the city, and necessarily becomes the receptacle of the sewer gases, which must rise up to it and escape through the ordinary sewer traps into the gaol, he will take steps to remedy this danger to the health of prisoners in this gaol?

MR. A. J. BALFOUR: I am afraid that I must ask the hon. Gentleman to defer this question until Tuesday, because before that date the Local Government Board inform me they will not be able to send a Report.

In reply to Mr. SEXTON,

MR. A. J. BALFOUR said: I gather from the Report of Dr. O'Farrell that no danger need be entertained.

MR. MAC NEILL: Seeing that the medical officer of the prison, Sir William Miller, is closely connected with the Corporation and that there is a distinct charge brought against the Corporation, is it not advisable that there should be a distinct medical investigation?

MR. A. J. BALFOUR: I must await the Report of the Local Government Board before I can answer that question.

THE MACCLESFIELD SAVINGS BANK.

MR. HOWELL (Bethnal Green, N.E.): I beg to ask the Chancellor of the Exchequer whether his attention has been called to that portion of the Report of the Commissioners appointed to inquire into the affairs of the Macclesfield Savings Bank, in which Mr. Andrews, the Actuary of the Manchester Savings Bank, advised the Actuary of the Macclesfield Bank as to the use and disposal of the separate surplus fund; whether the separate surplus fund of Trustee Banks, in the hands of the National Debt Commissioners, can be drawn upon and used in the manner suggested; and, whether the Treasury will take steps to prevent the squandering and any misuse of the separate surplus funds of Trustee Banks, in the manner indicated in Mr. Andrew's letter, or otherwise?

MR. GOSCHEN: My attention has been called to the whole of the able Report of the Commissioner to inquire into the affairs of the Macclesfield Savings Bank. Mr. Andrew's advice to the Actuary of the Macclesfield Savings Bank seems to consist of two parts. In so far as he recommends that the separate surplus fund should be used for building a new bank, if such new building was required by the increase of business, I do not think his advice is open to exception; but his further suggestion (if I rightly understand the letter) that the bank should increase its expenditure, not, as it seems, because greater experience was necessary, but because there happened to be money which he considered available for it, seems to me very regrettable. The nature of the purposes to which the

separate surplus fund can be applied seems open to some doubt. I believe that the National Debt Commissioners have power, by means of the certificate required before any portion of the fund is paid over to any bank, to prevent any "squandering or misuse." But I agree with the Report of the Committee that those purposes should be more clearly defined by legislation.

THE CASE OF SAMUEL HUNTER.

MR. HOWELL: I beg to ask the Secretary of State for the Home Department whether he has received a Memorial from certain persons in the borough of Salford, praying for a remission or mitigation of the sentence passed on one Samuel Hunter for forgery and perjury; whether he will state the number of signatures to such Memorial, and what number of them were members of the Gas Committee, in connection with which frauds were discovered; whether he has given any reply to such Memorial; and, if so, what reply has been given; and, whether, before giving any reply, he will consent to lay upon the Table of this House a copy of the said Memorial, together with the names and descriptions of the persons who signed the Memorial?

MR. STUART WORTLEY: Yes, Sir. Such a Memorial was received on the 13th inst. It is signed by 26 persons, among them being the Chairman of the Gas Committee, the Mayor of Salford, and several Aldermen and Councillors. No reply has yet been sent to the Memorial. It would be contrary to all precedent to lay a Memorial on a criminal case on the Table of the House.

MR. HOWELL: Will the request of the memorialists be acceded to before a copy of the Memorial has been laid upon the Table?

MR. STUART WORTLEY: It would be contrary to precedent to lay a copy of the Memorial upon the Table of the House.

MR. HOWELL: I beg to give notice that if the Home Secretary accedes to the prayer of the Memorial I will call attention to the whole question, and ask for the appointment of a Select Committee to consider it.

CONTAGIOUS DISEASE IN THE INDIAN ARMY.

MR. CAVENDISH BENTINCK (Whitehaven): I beg to ask the Secretary of State for War whether the War Office are in possession of any statistics from India relative to the alleged increase of contagious disease in the Indian Army since the repeal of the Contagious Diseases Acts; and whether he can give any information on the subject?

*MR. E. STANHOPE: So far as the British troops are concerned, the admissions for venereal disease have risen from a yearly ratio of 323 per 1,000 for the year 1887 to 560 per 1,000 for the first four months of 1889.

In reply to Mr. STUART (Shoreditch, Hoxton),

*MR. E. STANHOPE said: The statistics are made out on the responsibility of the Medical Department.

MR. CAVENDISH BENTINCK: I beg to ask the Under Secretary of State for India whether the Debate on the Cantonment Bill in the Legislative Council of India, on the 14th inst., is correctly reported in the London newspapers of the 15th inst.; whether General Chesney then stated that the suspension of the Contagious Diseases Act had resulted in an alarming increase of disease among soldiers; whether General Sir F. Roberts, the Commander-in-Chief, then stated that the percentage of soldiers upon the sick list had doubled since the suspension of the Act; and, whether the Cantonment Bill contains powers and provisions which will mitigate the prevalence of this disease and the sufferings caused by it?

SIR J. GORST: The Secretary of State has seen the reports in the Press of the Debate in the Legislative Council and has no reason to doubt the correctness of such reports. The Cantonment Bill contains provisions for mitigating the prevalence of all contagious diseases within Cantonments; and regulations for that purpose are now under the consideration of the Government of India.

THE NORTHUMBERLAND COUNTY COUNCIL.

MR. BURT (Morpeth): I beg to ask the President of the Local Government Board whether his attention has been

called to a resolution passed by the Northumberland County Council to prevent any Member of the said Council from bringing forward a Motion for building a bridge which may be required in his locality; and whether such a prohibition is legal and in accordance with the provisions of "The Local Government Act, 1888?"

*MR. RITCHIE: I have been in communication with the Clerk to the County Council of Northumberland, and am informed that no such resolution as that referred to in the question of the hon. Member has been passed by the County Council.

In reply to a further question by Mr. BURT,

*MR. RITCHIE said: I believe that some resolution has been passed by the County Council, but if the hon. Member wishes for further information he had better put a question on the Paper.

THE INDIAN BUDGET.

MR. BRADLAUGH: I beg to ask the First Lord of the Treasury whether he can now fix a day for the Indian Budget statement?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I am not in a position to name a day for the Indian Budget. It will be necessary in the first place to make considerable progress in Supply.

THE CONDITION OF THE WESTERN COAST AND ISLANDS OF SCOTLAND.

MR. J. CHAMBERLAIN (Birmingham, W.): I beg to ask the First Lord of the Treasury whether the Government have received any Report from the Secretary for Scotland concerning his recent inquiries into the condition and needs of the population on the Western Coast and Islands of Scotland; and whether he is now prepared to state the intentions of the Government in reference to the provision of piers and harbours and of railway or other communication calculated to benefit the fishing industry in these districts?

*MR. W. H. SMITH: The Government have received a Report from the Secretary for Scotland with regard to the subject in question, and they will give that Report their most careful consideration during the Recess. They hope to be able to bring in a Bill next Session dealing with the subject on the same lines as those of the Piers and Harbours Bill dealing with Ireland.

MR. E. ROBERTSON (Dundee): Will the right hon. Gentleman consult the Scotch Members on the subject before they make any proposal to the House?

*MR. W. H. SMITH: I think the hon. and learned Member will see that any proposal which is made must be made on the authority and responsibility of the Government. The Scotch Members will be afforded a full opportunity of expressing their opinion.

MR. BUCHANAN (Edinburgh, W.): Will the Report be laid on the Table and circulated among the Members of the House?

*MR. W. H. SMITH: No, Sir; it is a confidential Report.

AN AUTUMN SESSION.

SIR GEORGE CAMPBELL: I beg to ask the First Lord of the Treasury if the Government will consider the advisability of a short adjournment before reaching the later autumn months; and, if so, whether the Scotch Votes will be taken before or after the adjournment?

MR. W. H. SMITH: I think the hon. Member is the only Member of this House who desires that there should be an Autumn Session. I am sorry that I am not in a position to say when the remaining Scotch Votes will be taken, but certainly not in an Autumn Session.

SIR G. CAMPBELL: Will a fair notice be given when the Scotch Votes will be taken, so that the Scotch Members may have an opportunity of attending? Will the right hon. Gentleman promise that they shall not be taken again at a time when the House is indisposed to take any other business?

*MR. W. H. SMITH: I presume that the hon. Gentleman receives a copy of the Votes and Proceedings of the House, and if he will look at it he will see when the Scotch Estimates are down.

SIR G. CAMPBELL: But a considerable number of Scotch Members are absent, and I wish to know if they will receive fair notice?

[No answer was given.]

THE FEMALE TELEGRAPH SERVICE.

MR. BLANE: I beg to ask the Postmaster General if he will explain why the Civil Service Commissioners have held no examination in Ireland of candidates for female telegraph service in the General Post Office since September 1888, when only three places were offered in Dublin, whereas several examinations have been held in London and Edinburgh since that date; and when the next examination in Ireland will take place?

*MR. RAIKES: The reason why no examination has taken place for female telegraphists, Dublin, since September, 1888, is that no vacancies have occurred since March, 1888, and the three successful candidates in the September, 1888, examination are still at the Postal Telegraph School, Dublin, waiting their turn for appointment. I am unable to state when it will be necessary to hold another examination.

PALATINE COURT OF DURHAM BILL [LORDS]

Lords Amendments to be considered forthwith; considered, and agreed to.

NEW MEMBER SWORN.

Sir Edward James Harland, Baronet, for the City of Belfast (Northern Division).

THE TITHE RENT-CHARGE RECOVERY BILL.

SIR W. HARCOURT (Derby): I ask leave to submit to you, Sir, a question relating to the Bill which stands first on the Order Paper to-day—namely, the Tithe Rent-Charge Recovery Bill. You are aware of the Amendments which it is proposed to introduce into this Bill, and I would ask you what is the practice and the rule of this House with respect to the introduction of Amendments of a very extensive character into a Bill during its passage through Committee. Perhaps I may be allowed to refer to the authority which we all refer to on these occasions. I have here Sir Erskine May's book on Parliamentary Practice, in which it is stated that—

"When a Bill has been committed *pro formâ* it is not regular to introduce, without full explanation, Amendments of so extensive a character as virtually to constitute it a different Bill from that which has been read a second time by the House and committed. In 1856, the Partnership Amendment Bill having been committed *pro formâ*, it was extensively amended, but no Amendment was inserted which it was not clearly competent for the Committee to entertain; yet, when an objection was urged that it had become a new Bill, the Minister in charge of it, while denying the alleged extent of the Amendments, consented to withdraw the Bill. When the Amendments affect the principle of the Bill, the more regular and convenient course is to withdraw the Bill and present another."

That is what Sir Erskine May says. I observe that on the occasion here referred to Mr. Henley, a Member of great experience in the practice of this House, objected to the introduction of extensive Amendments affecting the principle of the Bill. Mr. Lowe said that—

"The hon. Member for Oxfordshire had given notice of his intention to move that the Bill should be rejected, on the ground that there had been an abuse of the forms of the House by the practical substitution of a new Bill."

Then Mr. Henley said that—

"He felt that the new clauses had essentially altered the character of the measure, and that much inconvenience would result if the principles of what was really a new Bill were discussed in Committee."

Accordingly that Bill was withdrawn, in order that a new Bill might be introduced. I would now ask you, Sir, kindly to say whether, when Amendments are of so extensive a character as practically to constitute a new Bill and to introduce essentially new principles into a Bill, it is not the rule and practice of this House that the Bill should be withdrawn, in order that a new measure may be introduced in its place?

*MR. SPEAKER: The right hon. Member was good enough to give me notice that he would put this question to me, and as a very important principle is involved I propose, with the leave of the House, to go fully into the matter. I will first cite two precedents which, if they do not bear immediately upon this question, certainly illustrate the principle involved in it—the precedents of 1873 and 1878. In 1873 the University Tests (Dublin) Bill was introduced, and after leave had been given the measure was very much changed—so changed that the Speaker, having been appealed to, held that the Bill then before the House was not the same Bill for which leave had been given, and that Bill was

accordingly withdrawn. In 1878 there was another Bill, the Hypothec (Scotland) Bill. When the Order for the Second Reading was read, objection was taken that the Bill had been so transformed as virtually to amount to a new Bill, and the Speaker then from the Chair ruled that, inasmuch as the Bill was a different Bill from that for the introduction of which leave had been given, a new Bill ought to be substituted, and the leave of the House should be asked to introduce it. The House will be good enough to observe that those are two cases of objection taken before the Second Reading, when the alterations had been introduced on the sole authority of the Member who had introduced it, and not by a Committee of the House. But the measure now before us—namely, the Tithe Rent-Charge Recovery Bill—is in a different position, for it has got into Committee. If I correctly gather the feeling of the House, it is that I should give a ruling with reference to this particular Bill. I wish expressly to say that in answering before a question upon this subject I desired to safeguard, as I do now desire to safeguard, the rights and the jurisdiction of the Chairman of Committees. I do not think it is proper that an appeal should be made from his decision to mine, and the House must run the risk of any collision of opinion, which, however, I may say very respectfully I do not think is very likely to occur. I now come to the case cited by the right hon. Gentleman as a precedent—namely, the Partnership Amendment Bill of 1856. That Bill was committed *pro formâ*, and a great number of Amendments were proposed in Committee, which so changed the Bill as to transform it into an entirely new Bill. The objection was taken, as the right hon. Gentleman truly says, by Mr. Henley that the Bill was entirely different, and that it would be inconvenient to discuss in Committee clauses the principles of which had not been affirmed at the stage of Second Reading. That, I think, is a most powerful and cogent argument. Now the present Bill, the Tithe Rent-Charge Recovery Bill, having been in Committee for some time, new clauses have been put down upon the Paper by the Government, and on comparing the Bill as it would stand with these new clauses embodied in it with the original Bill, that—namely, for the introduction of which leave was given, and which was read a second time, I am bound to say that I see a complete difference between them. In fact, nothing of the old Bill remains except the Saving Clause, the Interpretation Clause, and I think two or three other lines at most. [An hon. MEMBER: "A line and a half;" *and cries of* "Order!"] In these circumstances, it seems to me that the Bill would assume such a shape that it would differ largely from that for the introduction of which leave was given. The right hon. Gentleman asks me what is the rule and practice of the House? I hope I am not afraid of taking responsibility upon myself; but in this case I do not wish to travel beyond the proper responsibility which attaches to me, and I express the practice of the House rather than the rule of the House, if I may distinguish between them. The practice of the House has unquestionably been, when a Bill has been so transformed, as in my opinion this Bill has been, that a new Bill should be introduced; that leave should be given to introduce it; and that the Second Reading stage should be gone through, when the general principles of the measure, as distinguished from its component clauses, can be affirmed. I express my opinion upon this point without the least hesitation, and I desire to affirm that opinion very strongly. Having said this much, I think I ought now to leave the matter in the hands of the House and the Government. I could not stop the Bill on the point of order as constituting a new Bill; but I do unhesitatingly affirm that the practice of the House has been in a case of this kind to withdraw the old Bill and then to introduce a new Bill in the amended form.

*MR. W. H. SMITH: I have listened with great attention to the ruling which you, Sir, have now given on the question which has been addressed to you by the right hon. Gentleman opposite—a question arising out of the objection which was taken yesterday or the day before to our proceeding further with this Bill. I understand you to say that it would be contrary to the practice of this House that, in the circumstances in which we are placed, the Tithe Rent-Charge Recovery Bill in its present form should be further proceeded with. The first

duty which I have to discharge in this House is to pay respect to any ruling which you may give from the Chair. It is with very great regret that I feel myself obliged in these circumstances to withdraw this Bill, which we had hoped to pass with the support of the great majority of the House. We were ready to agree to the changes proposed to be introduced into the Bill, although they would have undoubtedly altered very considerably the substance of a measure dealing with a question of great complexity and difficulty, and we certainly endeavoured to meet, as far as we possibly could, the reasonable objections of those who differed from us with regard to the course to be followed with a view to promote law and order in certain parts of Her Majesty's dominions. But, in the circumstances, there is only one course for me to pursue—namely, to move, with very great regret, that the Order for resuming the consideration of this Bill in Committee be discharged.

Motion made, and Question proposed,

"That the Order for resuming Committee on the Tithe Rent-Charge Recovery Bill be read and discharged and the Bill withdrawn."

SIR W. HARCOURT (Derby): The right hon. Gentleman must not misunderstand the object which I have in view. If the Government will now proceed with a new Bill in the form in which the Attorney General for the convenience of the House has drawn up those Amendments I, for my part, concur so entirely in the general principles of those Amendments—I am not speaking of all the details—that I will undertake to do all I can to assist the Government in passing such a Bill. The reason why I have objected to proceeding in the particular form of amending the old Bill is, first of all, because I believe—in fact, I may say I know—that considerable portions—not the whole, but considerable and important portions of the plan of the Government, portions of which I strongly approve, including the abolition of the power of distraint, could not have been introduced in the old Bill, and could only have been introduced in a new Bill. There are other portions, the portions that deal with the remission of the tithe in certain circumstances and the deduction from the rent to the landlord—those are parts of the Bill I think extremely important and valuable, and they could not have been proceeded with, in my opinion, under your ruling, Sir, which excluded the Instruction proposed by the hon. Member for Bristol, which was almost identical in its effect. If we are to go on with the old Bill and attempt to renew it "lock, stock, and barrel," we should make a mess of the whole concern. We should not be able to introduce any of the principles which the Government have desired to introduce, and the Paper would be in a state of chaos. What I desire is that the Government should introduce a clean Bill, if I may be allowed to call it so—such a Bill as that circulated in the form of the Amendments of the Attorney General. We can then consider that Bill and deal with it. It contains a principle which we on this side of the House approve of and have supported—namely, that the tithe shall be put upon the owner and not on the occupier. It contains a further principle, that the tithe shall be reduced when the rents and profits are not adequate to meet it. That is the principle we approve of and are prepared to support, and we also especially approve of the principle that in the future the power of distraint shall be abolished. These are three very valuable principles, but there is yet another principle in the proposed new Bill. There is the constitution for the first time of a universal Land Court for this country. The Government have proposed that the County Court should be appointed to inquire into and investigate rents, and to see what relation tithe bears to rent, and that if the rent is not adequate to meet the tithe, the tithe shall be proportionately reduced—that is, the Government propose to appoint a Land Court of Arbitration throughout the country to deal with all rents and all tithes. So valuable and, as some Gentlemen may think, so revolutionary a principle has probably never been introduced by any Government, not to say by a Conservative Government. Even if the Bill disappears, the principle it enshrines will remain, and if the Bill is introduced the principle of a Land Court will be affirmed, because from a Land Court like the Court proposed in this Bill, appointed for the purpose of deciding by arbitration how much tithe shall be struck off in consideration of the fall in rents and profits of land, from establishing a Court to ascertain what are

the "rents and profits"—vague terms and difficult to define—but the Court is to determine how much of the tithe, or if the whole of it, is to be remitted—everyone can see that there is only another step to giving these Land Courts power to adjudicate between landlords and tenants, with power to reduce the rents. All I can say is that these Amendments of the Attorney General, upon which I congratulate him, which propound the principle of these Land Courts, which are to have plenary and absolute jurisdiction, I think without appeal, to determine *per se* the rights existing between the titheowner and the landowner——

*MR. SPEAKER: Order, order! The right hon. Gentleman is travelling somewhat wide of the question. It is my duty to inform him that according to the ruling of my predecessor in the year 1875 it is not possible for the right hon. Gentleman to discuss the merits or demerits of a Bill on a Motion for the discharge of the Order.

SIR W. HARCOURT: I was only discussing the merits of the Bill, Sir; but perhaps I was falling into the grave error of writers of epitaphs, and was including in my remarks too many encomiastic adjectives. What I desire to say, Sir, is that I myself, and I believe I may say a good many Gentlemen on this side of the House—though I have no right to speak for all on this side of the House—would be very glad to see the principles of this Bill established; and if the Government are in earnest in this matter, and if they will to-day introduce this Bill, already drafted and printed, and propose it for a Second Reading on Monday, so far as I am concerned they will have my support. I see there are some Gentlemen below the Gangway opposite who are not at all anxious to see this Bill passed; but I am happy to say that is not the feeling of all hon. Gentlemen opposite, for I am happy to see that the hon. Member for Maldon, to whom great credit has attached, and will attach, for the independent course he has taken in this matter, has a Notice on the Paper to-day that he will introduce a Tithe Rent-Charge Recovery Bill, and I hope he will do so. If he introduces the Government Bill I think he might carry it, as he carried, or rather did not carry, the Instruction which has converted the Government. So far as I am concerned I shall be very happy to assist the Government in passing this Bill if they will introduce it. Do not let it be objected to on the ground of loss of time. There will be much less loss of time in discussing a Bill in this clear and concise form presented by the Amendments than the time that would be lost in discussing the chaotic mass of Amendments to the old Bill as it stands. Do not let it be said, if the Government are not going on with the Bill, it is because they have not time. The Government have quite as much time for dealing with a new Bill in this concise form as they would have had for discussing the Amendments to the old Bill. I make this offer to the Government sincerely, and I hope they will accept it.

*MR. W. H. SMITH: I rise, Sir, at once to acknowledge the encomiastic adjectives of the right hon. Gentleman. The right hon. Gentleman generally uses adjectives in great abundance. He has asked the Government to introduce a Bill similar in character to that which they hoped to pass with the Amendments on the Paper, and he has offered his personal assistance to the Government to pass such a Bill into law. If, Sir, the Government had any hope whatever that that offer of the right hon. Gentleman's would result in the speedy, rapid, and successful consideration by this House of this important measure they certainly would give most careful consideration to the suggestion of the right hon. Gentleman; but we have to consider the language of the right hon. Gentleman by the light of the acts of his hon. Friends whom he usually leads. I find on the Paper to-day three pages of Amendments proceeding from the opposite side of the House—three pages of Amendments to these valuable proposals of my hon. and learned Friend the Attorney General. If this is the work of the 24 hours which the right hon. Gentleman the Member for Derby said would be absolutely insufficient to consider the Amendments of my hon. and learned Friend, what will be the effect of the further delay which, according to the forms of the House, must necessarily intervene before we reach the Committee stage with a new Bill? If the right hon. Gentleman and his Friends will give the Government an assurance that this Bill as it is now

shadowed forth will be passed forthwith, the Government will at once go on with it. But I read the Amendments on the Paper, and I see expressed in those Amendments determined opposition to the Bill as proposed. What interpretation, therefore, can I put upon these friendly assurances, these encomiastic adjectives of the right hon. Gentleman? I have heard this language used before by right hon. Gentlemen who occupy the Front Opposition Bench, and I have been obliged on many occasions to discount it by the action and conduct of their friends. If the right hon. Gentleman is in a position to give those assurances which have frequently been given, and which, I might almost say, were uniformly given by Oppositions in times past, though not during the present Parliament I am sorry to say—if he can give those assurances, then we shall be exceedingly glad to avail ourselves of his suggestion.

*Mr. G. OSBORNE MORGAN (Denbighshire, E.): Perhaps I may be allowed to say, as a Representative of that part of the country which has been pointedly alluded to by the right hon. Gentleman, that, speaking for my Colleagues and myself, while we are not unwilling to give a general approval to some of the broad principles of the new Bill, we shall feel bound to weigh and scrutinise most carefully its details, some of which may arouse our most strenuous opposition.

Mr. SWETENHAM (Carnarvon): Before the Order is discharged I desire to say that it is with very great regret I heard the determination of the Government. But I would ask you, Sir, whether it is not competent at the present time for the Government to withdraw the Amendments of the Attorney General and to take up the Bill where it was before they were put on the Paper? I think it would be most deeply to be deplored that this Session should terminate without a Bill passing which would certainly have the effect of restoring, or helping to restore, law and order in many parts of the country. To quote an expression used by the *South Wales Daily News*, "the tithe question is a useful lever for effecting disestablishment." As strongly as I can, I urge the Government to go on with the Bill. I may be permitted to say that, so far as the Amendments of the Attorney General are concerned, I entirely agree with them in principle. Not only in this House, but for the last three or four years on every platform in the country it has been declared that among the many things for Parliament to do is the putting the tithe upon the owner, as was intended by the Tithe Commutation Act. While I agree entirely with the principle expressed in the Amendments of the Government, I cannot conceal from myself that even on the Ministerial side of the House there will certainly be Amendments to those Amendments. This will have the effect of keeping up the discussion for a long time. Therefore, unless the Government see their way to take up the original Bill, I hope they will persevere with the Motion to withdraw the Bill altogether.

Mr. HERBERT GARDNER (Essex, Saffron Walden): I hope I may be allowed to say a few words, for I have taken great interest in this subject, which I have pressed upon the attention of the House, I hope not unduly. I hope the Leader of the House heard the remarks of his follower who has just sat down, because they will bring home to him and to the country that the opposition to the Bill does not proceed alone from this side of the House. I hope we shall not have it said that our opposition prevented the passing of the Bill. If the House will allow me I will shortly explain my own position. There are two parties in the State who are much interested in tithe reform—one who object on conscientious grounds to the payment of tithes, and the other, in the agricultural interest, who only wish for a fair tithe. I am one of the latter, and should be prepared to support any Bill brought forward by the Government in the sense referred to by the right hon. Member for Derby. At the same time, I must admit that I think that the principle of re-adjustment ought to be included in any measure brought forward.

*Mr. J. G. TALBOT (Oxford University): In a few words I should like to state my view of this very complicated situation. I listened, Sir, with great respect to your ruling, and with great interest to the speeches of the right hon. Gentleman opposite, and of the Leader of the House. When I heard the right hon. Member for

Derby I hoped there was a prospect of settling this vexed and thorny question, because I am bound to give the right hon. Gentleman credit for straightforwardness when he says he is willing to help the Government in passing the amended Bill. The right hon. Gentleman speaks with great responsibility when he addresses the House, because, unfortunately, the usual Leader of the Opposition is not present. We are, therefore, bound to take what was said by the right hon. Member for Derby as the words of the responsible Leader of the Opposition. We had, then, an announcement from the Opposition, expressed through their Leader, that they would give their best assistance in passing the amended Bill. Now, I desire to say, with a full sense of my responsibility as representing as large a number of tithe-owners as any Member in the House; that I am prepared also to give the Government every assistance in passing the Bill, as it is proposed that it should be introduced. In doing so I am, of course, ready to make geat sacrifices on behalf of many tithe owners. At the same time, there is such a prospect of solving this vexed question as has never occurred before, and is not likely to occur again for a long time. I accordingly earnestly beg my right hon. Friend to re-consider the half decision at which he has arrived, and between now and Monday to come to the conclusion to introduce a new Bill. I know I am speaking the mind of at least some hon. Members on this side. I can promise the assistance of myself and my friends in passing such a measure. There must in such a question be compromise; there must be surrender, even loss. I earnestly hope that this question, which relates not only to the just rights of tithe owners, but to the peace of a great part of the country, may be peaceably settled. Such a settlement will not only remove the grievances of tithe owners and tithe payers, but will calm the disturbances which have arisen in so many parts of the country.

MR. A. THOMAS (Glamorgan, E.): I do not profess to express any opinion but my own when I say I do not believe that any settlement short of disestablishment will give any satisfaction to the Principality, and therefore I shall give all the opposition I can to the measure.

MR. STANLEY LEIGHTON (Shropshire, Oswestry): It has invariably been the practice in the House to accept the statement of a leader as expressing the opinion that he could carry his Party with him. I think it, therefore, somewhat discreditable that the right hon. Member for Denbighshire, rising after the right hon. Member for Derby, should have expressed a different view. I appeal to the Leader of the House, although the confidence of the Party has been somewhat shaken, to proceed even at the last moment with this Bill, which has been promised for three years, and is now almost brought to maturity. My right hon. Friend has declared that this Bill has been brought forward for the sake of maintaining order in the Principality. To maintain order is the duty of every Government, and is certainly the first duty of a Conservative Government. I earnestly trust, therefore, that the right hon. Gentleman will assure his supporters that he intends to stick to the Amendments of the Attorney General, and not to leave his Party in the extremely disagreeable position in which they now stand.

MR. DILLWYN (Swansea, Town): I do not intend to prolong the Debate, or to enter into the question as between the Bill abandoned and the Bill to be proposed; but, after what has been said from this side, I do not think I ought to sit quiet and allow it to be supposed that I will support the new Bill. I at once enter my protest against being supposed to agree with the provisions of this Bill. As my right hon. Friend said just now, it will require most careful consideration, and many of its provisions will be met with stern opposition.

Order for Committee read, and discharged.

Bill withdrawn.

MEDICAL PRACTITIONERS (GREAT BRITAIN AND SWITZERLAND).

Address for—

"Copy of Correspondence on the subject of the reciprocal admission of Medical Practitioners qualified in either Country to practise in Great Britain and Switzerland."—(*Mr. Tapling*).

MESSAGE FROM THE LORDS.

That they have agreed to: Amendment to Arbitration Bill (Lords);

Amendments to Amendments to County Court Appeals (Ireland) Bill, without Amendment; Paymaster General Bill, with an Amendment; Poor Law Bill; Official Secrets Bill.

BUSINESS OF THE HOUSE.

MR. G. HOWELL (Bethnal Green, N.E.): May I ask the First Lord of the Treasury whether it is intended to proceed with the Statute Law Revision Bill?

MR. SEXTON (Belfast, W.): Will the right hon. Gentleman now state what will be the effect of the withdrawal of the Tithe Bill on the immediate progress of business?

MR. E. ROBERTSON (Dundee): May I ask when it is proposed to take the Light Railways Bill, and whether the Leader of the House will cause the Bill to be examined in the light of the recent ruling of the Speaker, in order to see whether the measure is not substantially a new Bill?

MR. BYRON REED (Bradford, E.): I beg to ask the right hon. Gentleman whether he can give the House any information with regard to the proposal of the right hon. Member for Derby, that a new Tithe Bill should be introduced?

SIR J. SWINBURNE (Staffordshire, Lichfield): May I ask whether the Government will grant facilities for passing the Intoxicating Liquors (Ireland) Bill?

MR. HANDEL COSSHAM (Bristol, E.): May I remind the Leader of the House that we have had the Light Railways (Ireland) Bill in its present form only about half an hour in our hands?

MR. T. W. RUSSELL (Tyrone, I think, Sir, it is time that Irish Members should know what the Government intend to do with regard to the Irish Sunday Closing Bill.

SIR W. HARCOURT: I think it will be convenient if the First Lord of the Treasury will state, when he moves the Motion with regard to Saturday's Sitting, what Bills the Government intend to proceed with.

SITTING OF THE HOUSE—SATURDAY.

*MR. W. H. SMITH: I think that would be a convenient course. I beg to move the Resolution that stands in my name, namely—

"That this House do sit to-morrow, and that such sitting be held subject to the Standing Orders which regulate the sitting of the House on Wednesdays."

The right hon. Gentleman the Member for Derby will see, if he looks at the Paper, that there is practically no seriously opposed business to be dealt with, with the exception of the Intoxicating Liquors (Ireland) Bill.

Several hon. MEMBERS: The Technical Instruction Bill.

*MR. W. H. SMITH: I believe there is a very strong desire on the part of hon. Gentlemen opposite to pass the Technical Instruction Bill, and we propose to accept the Amendment of the hon. Member for Gorton (Mr. Mather.) With regard to the Statute Law Revision Bill, there is a notice on the Paper in the name of the right hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler) against that measure. These Statute Law Revision Bills were prepared by a most impartial and able Commission, whose duties have always been exercised with great ability and with great advantage to the public; and I should be sorry if the Bill had to be postponed. If, however, serious objection be taken to it, I cannot say it has been before Parliament a sufficient time to justify us in pressing it. With regard to the Light Railways (Ireland) Bill, I understand that no new clause has been inserted in that measure; and it cannot be said that the Bill is in the slightest degree altered. The Standing Committee have, as they were fully entitled to do, struck out many of the clauses of the Bill; but the measure remains substantially as it was. Under these circumstances we think we are bound to proceed with the measure, and I believe it will be convenient to hon. Members to take it to-morrow. I am exceedingly anxious that the Intoxicating Liquors (Ireland) Bill should be passed, and we will endeavour to find an opportunity for the consideration of that measure. The business to-morrow will be the Light Railways Bill, and Supply, if we can reach it. I think it would be convenient to hon. Members from Ireland if we took the Irish Estimates on Monday. We propose to take the Votes in Class II. in their regular order. As to the question put my hon. Friend the Member for Bradford (Mr. Byron Reed), I

can say nothing beyond what I have already stated to the House. I must remind the hon. Member and those who take an interest in the tithe question that notice is given of serious and protracted opposition to the measure as amended by my hon. and learned Friend the Attorney General, and, under the circumstances, I think the Government would, at this period of the Session, be incurring a very great responsibility in asking the House to take up the question, unless we received assurances from the Party opposite generally, such as have been given by the right hon. Gentleman the Member for Derby (Sir W. Harcourt), that the Bill will be passed through its remaining stages with the adequate despatch which is necessary at this period of the Session.

Motion made, and Question proposed,

"That this House will sit to-morrow, and that such sitting be held subject to the Standing Orders which regulate the sittings of the House on Wednesdays."—(*Mr. W. H. Smith.*)

MR. W. REDMOND (Fermanagh, N.): Might I ask the right hon. Gentleman whether it is the intention of the Government to ignore the exceedingly strong representations which have been made to them from Australia with reference to the Western Australia Constitution Bill?

MR. WINTERBOTHAM (Gloucester, Cirencester): The First Lord of the Treasury stated on Thursday that no contentious business would be taken on Saturday. The Light Railways Bill is distinctly contentious business, and I, therefore, appeal to the right hon. Gentleman to fulfil the pledge he has given.

*MR. H. H. FOWLER (Wolverhampton, E.): I venture to think that the House is entitled to a distinct assurance from the right hon. Gentleman the First Lord of the Treasury as to what business the Government intend to take during the remainder of the Session. The right hon. Gentleman has now all the time of the House, and he intends to take all the days of the week as well. We are entitled to hear what Bills are to be proceeded with, whether any are coming from the Lords, and what attitude the Government will assume towards the private Bills which are on the Paper, and which subject hon. Members who oppose them to a great deal of trouble There are 26 Government Bills on the Paper, 21 private Members' Bills, and 80 Votes in Supply still to be taken, and this is the 16th of August. With regard to the Statute Law Revision Bills, I have had great pleasure in helping these measures forward during the last two or three years, and in order to enable the cheap edition of the Statutes to be published. But the cheap edition was no sooner published, bringing the Statute Law revision down to 1800, than a Bill is introduced to repeal some of the Acts which were reprinted as representing the Statute Law of the country. Without very considerable explanation, I cannot consent to that. It is proposed to go back to the reign of Edward III. in regard to the repeal of Acts. I am afraid that if the right hon. Gentleman finds himself in Committee dealing with the Acts of Edward III., we shall have something to say about one of them. This Bill deals with the Acts of the present reign, including the Tithes Commutation Bill, Lands Clauses Act, the Railway Clauses Consolidation Act, and the Companies Clauses Consolidation Act. We cannot consent to deal with the statutory legislation of the present reign simply upon the allegation of a Government Department or Secretary of State that such legislation is unnecessary. That is the sole reason why I object to the Government proceeding with the Statute Law Revision Bills during the present Session. I suggest that the Bill be postponed until next Session, and then that it should be referred to a Select Committee, on whose Report the House might act.

MR. E. ROBERTSON: The Light Railways Bill has been entirely altered in the Standing Committee, and I warn the right hon. Gentleman that unless he abandons his intention of proceeding with the Bill to-morrow, I shall certainly feel it necessary to vote against a Motion for a Saturday Sitting.

*MR. G. OSBORNE MORGAN: May I ask whether the Merchant Shipping (Pilotage) Bill will be proceeded with?

SIR W. HARCOURT: There are 26 Government Bills on the Paper for to-morrow and Monday. If the right hon. Gentleman will put his pencil through a large number of those we shall know

better where we are. Without expressing any opinion of my own upon the Light Railways Bill, it is clear that it is a highly controversial measure, and I therefore hope the right hon. Gentleman will not take it to-morrow. I see in the Statute Law Revision Bill what is quite new to me—namely, the repeal of certain Statutes as "unnecessary," by omitting "the words 'and be it enacted' and all the words that follow."

SIR R. WEBSTER: It is in order to save printing, and the saving on the whole will amount to half a volume.

SIR W. HARCOURT: That is a very good reason. I hope the First Lord of the Treasury will be able to reduce the list of Bills.

*MR. S. SMITH (Flintshire): I beg to ask the right hon. Gentleman whether it is not the fact that Lord Knutsford has promised several hon. Members that he will not proceed further than the Second Reading of the Western Australia Bill?

SIR J. PULESTON (Devonport): It will be some consolation to a large number of Members of this House if the right hon. Gentleman will give the House an assurance that the Tithe Rent-Charge Bill will be one of the first measures introduced next Session.

MR. LABOUCHERE (Northampton): My right hon. Friend has said we all want to get away, and for my part I want to get away so much that I am going away, so that I can speak about what is going to happen after I have gone with more impartiality than hon. Members who are going to stay. At the present period of the Session the demand for a Saturday sitting is reasonable; but we are in a peculiar position. Ministers have taken the days of private Members, and have recklessly wasted them. I think we ought to take the first opportunity of expressing our disapproval of the reckless waste of public time on the part of the Government. I shall feel it my duty to register in a Division my opinion that Her Majesty's Ministers have scandalously wasted the public time.

MR. HOWELL: I have gone through the Statute Law Revision Bill, and find that 19-20ths of it consist of simple repeals of unnecessary words in existing Acts of Parliament, about which, I suppose, there can be no contention on the part of anybody except lawyers who want to make the law as complicated as possible. The Bill removes from the Statute Book a lot of rubbish which ought never to have encumbered it. I hope the Government will press the Bill through the House.

COLONEL NOLAN (Galway, N.): I hope the right hon. Gentleman, who has an enormous majority, will give the House a chance of passing the Light Railways Bill to-morrow.

*MR. W. H. SMITH: I think it well to answer the questions which have been so far asked of me before they are entirely obliterated by a series of others. I believe the most important question put to me is that which has reference to the Light Railways Bill, and while I recognise the warmth of feeling which the hon. and gallant Member (Colonel Nolan) has shown in reference to that Bill, as I wish to pass the measure, and do not wish to waste a sitting, I think it would be desirable not to take the Bill to-morrow, after the opposition that has been shown, but to put it down as the first order on Monday. I hope I will then have the support of hon. Members in passing it through as quickly as possible.

MR. ILLINGWORTH (Bradford, W.): Will it now be necessary to have a sitting to-morrow?

*MR. W. H. SMITH: Yes, certainly. With reference to the Statute Law Revision Bill, I am desirous that the Statute Book should be purged of useless and unnecessary enactments, but I must admit that it is reasonable that the House should have an opportunity of examining and considering a measure of that kind. I recognise the fairness of the contention of the right hon. Gentleman (Mr. Fowler) with regard to a Bill which has only been in the hands of hon. Members for three days, and I cannot at this period of the Session press the House to consider it. Even although it may be all that the hon. Member for Bethnal Green (Mr. Howell) describes it, still it justifies and requires examination. I am asked to expunge certain Bills from the Order Paper. I think the right hon. Gentleman will find that there are remarkably few Bills which would in the ordinary course of things be considered at all contentious. The right hon. Member (Sir W. Harcourt) said there were 26 Government Bills on the Paper for to-morrow and Monday. As

a matter of fact, there are about that number of Government Orders on the Paper, but the number of Bills is very much less. There is the Interpretation Bill, upon which a question is raised as to whether Wales should be included in England or not. I do not know that there need be much difficulty about that.

MR. THOMAS ELLIS: There will be.

*MR W. H. SMITH: I do not know that we shall make any difficulty about it. The Technical Instruction Bill, I believe, will not take an hour to consider in Committee. Then comes the consideration of the Lords' Amendments to the Local Government (Scotland) Bill, which I suppose will take a few minutes only. The Judicial Rents (Ireland) Bill follows, and it depends on hon. Gentlemen below the Gangway whether that Bill shall pass or not. [*Cries of "No" from Irish Members.*] Very well, then. The next is the Steam Trawling (Ireland) Bill, which was introduced at the instance of hon. Gentlemen below the Gangway opposite, and should not take long. The Infectious Diseases Notification Bill and the Preferential Payments in Bankruptcy (Ireland) Bill ought to go through without delay. The Council of India Bill ought not to take five minutes of the time of the House if hon. Members have any regard for economy of administration in India. The Merchant Shipping (Pilotage) Bill, I think, will be accepted without discussion. Then, as to the Western Australia Bill, I have been appealed to by the Member for Fermanagh. I am under an engagement to the House not to proceed beyond the Second Reading of that Bill. I hope to take the Second Reading, but it will be at a late period of the Session, so as not to interfere with or impede other business. There are two Bills—the Registration of Assurance and the Local Registration of Titles Bill. Those Bills will not be proceeded with. The London County Council (Money) Bill is a necessary measure.

MR. SEXTON: The Bann Drainage Bill.

*MR. W. H. SMITH: It stands for Monday, and if it is opposed it will not be proceeded with.

MR. T. M. HEALY: And the Suck Bill.

*MR. W. H. SMITH: The Suck Bill also will. The Merchant Shipping (Colours) Bill is a matter of little importance. With regard to private Members' Bills we have no control over tnem; and I can assure hon. Members that no effort will be lost to bring the Session to a close at the earliest moment.

MR. STUART (Shoreditch): I wish to ask whether the County Council Bill will be taken on Monday or not, and, if Supply is to be the business to-morrow, what Supply will be taken?

MR. PICTON (Leicester): I hope the right hon. Gentleman will exclude from to-morrow's business Class V. I really think this is a matter of very serious consideration. The House has been unable during this Session, on account of the exclusive possession of its time by the Government, to give attention to the most important affairs which naturally arise under that Vote. We have all the rest of the world outside Her Majesty's Dominions to consider under that Vote. I can understand that there are some questions of foreign policy that the Government would be very glad to exclude from consideration on this Vote, but is a course which no Government ought to take which respects itself. Apart from that there are many questions affecting poor uneducated natives in other parts of the world who cannot help themselves, and who look for help and defence and counsel to the representatives of the constituencies in this country. I think it a little unfair that a day like Saturday should be taken for questions of this kind. It was only last night that there was any intimation given that there would be a Saturday Sitting at all. There are large numbers of Members interested in these questions, who find it absolutely impossible to make arrangements to be present to-morrow. Of course, we are not excluded from bringing forward these questions on Report of Supply, and if the Diplomatic Votes are run through in a small House to-morrow, we shall be compelled to take the only remaining opportunity open to us on Report of Supply to bring forward our objections.

*SIR R. N. FOWLER (City of London): The hon. Gentleman has been in several Parliaments. I appeal to him, and to the right hon. Member for Denbigh on the Front Bench (Mr. Osborne Morgan),

whether it has not been the practice to hold Saturday Sittings at this period of the Session, and whether a similar Motion has not constantly been made by the right hon. Member for Mid-Lothian?

MR. T. M. HEALY: The Government have stated their intention of giving time for the consideration of the Intoxicating Liquors Sunday (Ireland) Bill, to which in the abstract I have no objection whatever. But I oppose it, because the licenses are entirely under the control of the Resident Magistrates, and so long as that is the case I will continue to oppose it. But there are other and more important questions affecting Ireland, among them the subject of appeals in criminal cases. The Chief Secretary some years ago said we should have an appeal in all cases, and the Bill I proposes carries out the intentions of the Government in that sense. I would ask the Government whether if they are going to support a private Member's Bill, with regard to the curtailment of the liquor traffic, I am not entitled to ask for some consideration of the subject of appeals in criminal cases, which is a question of far greater Constitutional importance than the Intoxicating Liquors Bill.

MR. T. E. ELLIS (Merionethshire): I wish to ask the right hon. Gentleman whether the Technical Education Bill will be taken to-morrow, and, if so, whether it will be put early among the Orders, that we may have time to discuss it and take the sense of the House?

MR. NOLAN (Louth N.): I wish to ask the right hon. Gentleman if, in giving facilities for the consideration of the Intoxicating Liquors (Ireland) Bill, he has considered the fact that one of the hon. Members who took a very great interest in this question, and who was the head of the opposition to it in Committee, is at present in custody through the right hon. Gentleman the Chief Secretary and has been for the past four months?

*MR. W. H. SMITH: I omitted one Bill, the Bill to carry out the recommendations of the Royal Commission on the Civil Service with regard to Superannuation. That Bill is necessary. As to postponing Class V., we are scolded if we postpone Estimates, and now, when a quiet Saturday Sitting is offered, we are asked to postpone Votes. I shall, however, agree to postpone Class V. if not reached to-night. As to the hon. Member for Longford, no doubt he will find an opportunity for himself. I am ignorant of the merits of his measure, which possibly may be opposed. If it is an unopposed Bill, he is perfectly well aware that the measure will pass through the House without any difficulty and without any assistance of the Government.

*MR. CHANNING (Northamptonshire, E.): Will the right hon. Gentleman reconsider his decision with regard to Class V.? There are a large number of Members present who are interested in the important subjects to be discussed under that Vote, and it would be inconvenient to postpone Class V. until a period of the Session when they, perhaps, cannot attend. The hon. Member for Leicester is quite alone in asking for the postponement of Class V.

*MR. W. H. SMITH: Really, Sir, I see no reason why, if we reach Class V. to-night, it should not be disposed of.

MR. STUART: As to the London County Council Bill, I wish to know when it will be put down, in order that Members may not attend unnecessarily.

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I hope we may be able to take it on Monday.

MR. BRADLAUGH: Can the right hon. Gentleman say whether the Indian Budget will not be taken to-morrow week?

MR. H. W. LAWSON (St. Pancras): There is no opposition whatever to the London County Council Bill. A new clause is to be moved which can be taken after 12, and upon which a Division can be challenged. I can say on behalf of my Metropolitan colleagues on this side of the House that we have no wish to stop the progress of the Bill. All we desire is to express our opinions on the subject.

*MR. W. H. SMITH: The hon. Member asked me whether it would be convenient not to take the Indian Budget until Monday week. I hope it may be taken before then.

The House divided:—Ayes 162; Noes 83.—(Div. List, No. 312.)

Resolved,

"That this House will sit to-morrow, and that such Sitting be held subject to the Stand-

ing Orders which regulate the Sitting of the House on Wednesdays."

MOTION.

—o—

TITHE RENT-CHARGE RECOVERY (NO. 2 BILL).

On Motion of Mr. Gray's Bill to amend the Law relating to the Recovery of Tithe Rent-Charge, ordered to be brought in by Mr. Gray, Colonel Cotton, Mr. John Talbot, Sir John Puleston, Sir Edward Birkbeck, Mr. Hunter, Mr. Hobhouse, and Mr. Seale-Hayne.

Bill presented, and read first time. [Bill 381]

EXPIRING LAWS CONTINUANCE BILL.

(No. 376.)

Motion made, and Question proposed, "That the Bill be now read the second time."—(*Mr. William Henry Smith.*)

MR. T. M. HEALY: There is a matter in this Bill on which I propose to offer a few observations, namely, the Land Commission. I think the position of the Land Commissioners is unsatisfactory. I have in the first place to congratulate the Government on the course they have taken with regard to the leaseholders. I suppose it was absolutely necessary that they should deal with their case; at the same time I think that they have acted in this matter rightly. Certainly I have no hesitation whatever in giving them that credit. But, Mr. Speaker, that is only one portion of the Bill. With regard to the Land Commission, I think that for the last two or three years the position must have been most unsatisfactory to the gentlemen concerned, Mr. Wrench, Mr. John George MacCarthy, and Professor Lynch and Mr. Litton. I think it is most unsatisfactory that gentlemen occupying these onerous and weighty positions should be left entirely at the mercy of the Government of the day. Mr. Litton and Mr Wrench were appointed in 1881. Mr. Litton was appointed for seven years, and Mr. Vernon was appointed with him. Mr. Vernon died, and Mr. Wrench got the balance of the seven years. But instead of getting an absolute term, these gentlemen are carried on from year to year, not knowing the moment when the Government may turn them out of office. I am not going to express any opinion either as to Mr. Wrench or Mr. Litton personally, except that gentlemen in the position of Judges, especially Judges where property is concerned, ought to be in a position of absolute independence. I think it is most unfair to the suitors in this Court that these gentlemen should be placed in the position of not knowing when their appointments come to an end. If that is so with regard to Mr. Litton and Mr. Wrench, how much more is it so with regard to the Commissioners under Lord Ashbourne's Act. Take the case of Mr. Lynch and Mr. MacCarthy. It is most unsatisfactory that they should be placed under the suspicion of being open to the nods and becks and winks of their superiors. I do say that gentlemen in the position of Judges, and exercising functions with regard to the expenditure of millions of money, should be put in a position which would remove them from the level of Cecil Roche and Colonel Turner, and other gentlemen of their notoriety and reputation. Sir, a Bill ought to be introduced putting the Land Commissioners in the position of irremovables, at any rate for several years to come. I say the same with regard to the Land Purchase Commissioners—even more strongly in regard to them, because the Government have proclaimed, or the right hon. Gentleman the Member for West Birmingham has proclaimed for them, that this position in regard to Ireland is the position of land purchase. If you take the case of the Auditor General of Public Accounts, he is irremovable except on an address from both Houses. I think it is a most undesirable state of affairs that these gentlemen should not be placed in an equally strong position. If the Government were to bring in a Bill I think it would be certain to pass almost without discussion.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I entirely agree with the substance of the hon. and learned Gentleman's speech. It is extremely unsatisfactory to leave these Judges in what is, after all, a great Appeal Court on a yearly tenure, and I should like to put an end to the present arrangement. I tried to do so last year in a Bill which there was not time to discuss; and I had hoped to bring in another Bill dealing with the matter this year. This, however, has been found impossible; but it is the desire of the Government to carry out next year this scheme.

MR. LEA (Londonderry, S.): It seems rather unusual to take the Second Reading of the Expiring Laws Continuance Bill at this time, and I trust those who have charge of it will give us at least a week's notice before it goes into Committee.

Question put, and agreed to.

Bill read a second time, and committed for Monday next.

PUBLIC WORKS LOANS BILL (No. 365.)

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Jackson.*)

SIR G. CAMPBELL (Kirkcaldy): There are two questions I wish to ask—whether the interest on English and Scotch loans has been reduced from 4 per cent to 3½ per cent, as in the case of Irish loans; and, whether there is also a long list of Irish loans written off? I should like some explanation of this.

MR. JACKSON: With regard to the reduction of the rate, there are no loans in England and Scotland of the kind on which the interest has been reduced in Ireland. Every year those amounts are written off which are deemed irrecoverable, but this does not discharge the debtors from their legal liabilities. It is thought desirable to err, if at all, on the side of over-caution.

MR. T. M. HEALY: I congratulate the Government on having introduced this Bill. There is, however, one deserving class, the Irish labourers, who have to pay for the loans, and who are still charged 4 per cent interest on the amounts advanced for their cottages. The reduction would be to them a substantial concession, and there is no reason why the Bill should not include loans under the Labourers' Act.

*MR. GOSCHEN: I presume the hon. and learned Member's suggestion will have to be considered in connection with artisans' and labourers' dwellings generally. But the matter is one deserving consideration, and I will not fail to consider it.

MR. FLYNN (Cork, N.): I would remind the right hon. Gentleman that artisans' dwellings stand on a different footing to labourers' holdings. In the case of the former the rating is of such a character that any deficiency in the value is small; whereas in the case of the rural ratepayers, they are saddling themselves with a heavy burden, and if the rate of interest can possibly be reduced to 3½ it will be a substantial relief to them.

SIR J. SWINBURNE (Lichfield): Will Her Majesty's Government take into consideration the reduction of interest upon drainage loans in England, where we are paying 6½ per cent, while in Ireland the money is raised for one-half that amount?

*MR. GOSCHEN: I would remind the hon. Baronet that the Legislature has stepped in and dealt with the landlords and tenants of Ireland on different principles to those which have been followed in this country.

MR. MURPHY (Dublin): Will the right hon. Gentleman take into consideration the fact, in dealing with the subject, that the artisans' dwellings are the only security, whereas in Ireland there is the security of the rates?

Question put, and agreed to.

Bill read a second time, and committed for to-morrow.

SUPPLY—CIVIL SERVICE ESTIMATES.

Considered in Committee.

(In the Committee)

CLASS IV.

Motion made, and Question proposed

"That a sum, not exceeding £9,487, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, for the Salaries and Expenses of the National Gallery."

SIR G. CAMPBELL: I wish to ask for some explanation with regard to the grant for the purchase of pictures. When an unusually extravagant bargain was concluded some time back, the House was given to understand that the grant would be suspended until the purchase-money had been wiped off. That has not been done, yet a sum of £5,000 for the purchase of pictures is put down in the Estimates.

Motion made, and Question proposed, "That Item D, Purchase of Pictures, be reduced by £3,800."—(*Sir George Campbell.*)

MR. JACKSON: I am afraid I must admit that in this case, from the hon. Member's point of view, the Government have been guilty of some extrava-

gance. It is true that when the purchase to which the hon. Gentleman refers was made it was agreed that for a time the grant for the purchase of pictures should be suspended, though no definite number of years was fixed. No doubt, however, it is in spirit intended that the grant should be suspended to enable the amount to be spread over a number of years. That arrangement has continued, but from time to time appeals are made to the Government when opportunities offer to purchase pictures which in the opinion of authorities ought not to be missed. I believe the plan will work satisfactorily and economically. I believe the Government have done right to give the £5,000. It is a less sum than we have formerly given, and it will continue at that small sum for a period of years.

Question put, and negatived.

Original Question again proposed.

*MR. H. W. LAWSON (St. Pancras): Mr. Courtney, I wish in a very few words to impress upon the Financial Secretary the growing intensity of interest taken by our Metropolitan population in the movement for nationalising our national collections, in reality as well as in name, by opening them on the Sunday so that the vast majority of the people may be enabled to enjoy and make use of them. The case could not be better put than by one of the Trustees of the British Museum, who said with regard to this Institution—

"The real question was whether certain public collections formed by the State and paid for by taxation levied on all classes of the community, should be accessible to the great mass of the people during the only day of the week on which it was practicable for them to visit them. He thought there was a strong *primâ facie* case in favour of the principle of the resolution, and it became stronger when they looked at the size and character of the metropolis. The city in which they lived was the largest capital in the world, and certainly not the most picturesque. Residents in small towns could easily escape from them by a moderate walk; but there were upwards of 2,000,000 of people who lived in the interior of London who could not escape from the long succession of streets, often squalid and generally dreary, and where, certainly on a Sunday, there was nothing to give pleasure or create interest."

These are the words of a supporter of the present Government, Lord Derby, who always speaks with great common sense on social questions. I would point out to the hon. Gentleman that we are advancing by leaps and bounds in this matter. Formerly, no public collection was open on the Sunday. Now, more than half the free libraries of the Metropolis are open on that day. There was a great stride made when not only the libraries but the resources of the People's Palace were opened upon Sunday. It was quite in vain that the Lord's Day Observance Society tried to get up a petition amongst the dwellers in the East End to stop the action of the managers of the People's Palace. The Report which has been issued from Birmingham by Mr. Whitworth Wallis gives astounding proofs of the interest taken by the people in this concession. And surely in London we ought not to be in a worse position than they are in Birmingham, Manchester, and others of our large towns. A vote was taken in the County Council this year on the subject, and only nine formed the minority. The Trades Council have unanimously voted in its favour, and twice the Trades Congress by a majority of two to one have affirmed the desirability of opening our National collections on the Sunday. We owe the First Commissioner of Works a debt of gratitude for the manner in which he has dealt with the parks. Kew Gardens, Hampton Court, and Greenwich Hospital are open on Sunday, and there is no reason why the National Gallery should not be thrown open for the enjoyment of the great mass of the people, who have not time to visit it during the week. So far from such a course being detrimental to the interests of true religion, it would be an immense lever in the work of social reform. I hope the hon. Gentleman will consider that some of the most eminent of the trustees have expressed themselves in favour of this course. As to the financial question, recently it was my privilege to forward to the trustees a letter signed by the Duke of Westminster and Lord Thurlow, offering to supply the necessary funds, but I do not think it possible that the Financial Secretary would grudge the small sum needed. I am quite certain that neither he nor any other Member of the Government desires to make Sunday more oppressive and monotonous to the great mass of

the people of London than any other day of the week. I hope that during the next few months the Government will consider this subject, and that next year some definite action will be taken with regard to it.

*Mr. CAVENDISH BENTINCK (Whitehaven): Sir, I can see no reason myself why, if Hampton Court, Kew Gardens, and other places are open on Sunday, the National Galleries should not also be open. The opposition comes from a party who think that Sunday ought to be rather a day of punishment than a day of enjoyment. But my hon. Friend opposite is hardly consistent in this matter, for I can recollect a case not very long ago in which he opposed the opening of places of refreshment on Sunday, and voted that they should be all closed on that day. I do not want to raise unpleasant feelings among hon Gentlemen opposite. Nor to doubt their consistency which I dare say they believe they possess to a very great extent. I merely mention this fact, that I think the encouragement of the Salvation Army, and things of that sort have militated against the opening of the National Museum. But I did not rise for the purpose of making these observations. I am, Sir, going to make some criticisms on the action of the Directors of the National Gallery, notwithstanding that they are extremely thin-skinned. The misfortune of our present system is that our Art and other collections are not under one responsible Minister, who knows something about them. And I wish to call the attention of the Secretary of the Treasury to an extraordinary freak on the part of the Directors of the National Gallery. The matter has been brought before the Government already. I refer to the changes which have been made in the names of the pictures. Claude Lorraine is now called "Geleé." Why should that be? "Guido" is turned into "Reni," Paolo Veronese is called "Caliavi," "Raphael" Sanzi, and so on. The attention of the Government has been called to this matter, and I have been informed that in many cases the names by which the artists are best known are painted on the frames. That is so, but these names have been painted so small that it is almost impossible to discover these old historical names. I would ask the Secretary of the Treasury to give instruction to those who manage the National Gallery, to see that the names by which artists are historically and familiarly known, are written up in larger and more legible letters on the picture frames. It would not cost a great deal to do this. At the Louvre where the system of double nomenclature is adopted, the well-known name of the painter is written in letters quite as large as the proper name. I would urge the Government to have this reform carried out.

*Mr. MURPHY (Dublin, St. Patrick's): I rise to support the appeal of the hon. Member for West St. Pancras (Mr. Lawson) that the National Gallery and kindred Institutions may be open to the public on Sundays. I am in a position to say how the privilege is appreciated in towns where it has been granted. It is largely valued in Dublin. There, the National Gallery and the Museum, which corresponds in some measure with the British Museum, the Zoological Gardens, and the Botanical Gardens are all open to the public on Sunday, and the number of people who attend on that day shows the advantage the public derive from the system. The number of people who attend the National Gallery and Museums on Sunday is larger than on all the other days of the week put together. As I conceive that the object of these exhibitions is that the public shall enjoy them, the fact that they are visited more on Sunday than other days is, to my mind, a conclusive reason why, of all days in the week, they should be open on Sunday. Moreover, I think these places should be open at night. Now that we have the electric light, I think it should be availed of in these places so as to give an opportunity for people who are engaged during the day to visit them. I do not think the small additional expense which would be involved by throwing open the Museums at night and on Sundays should be allowed to stand in the way of this reform, having regard to the benefit which would be conferred on so many people.

Sir F. FITZWYGRAM (Hants, Fareham): I heartily concur in the proposal for the opening of the National Gallery and Museums on Sunday. I have always been opposed to those

Sabbatarian views which would make the Sunday a black letter day, and I do not think that either religion or morality can be promoted by opening the drinking shops on Sunday and closing the Museums. I would moreover strongly advocate, regardless of the question of expense, the opening of our public Galleries and Museums at night. Night is the time when the majority of the public can best avail themselves of the opportunity of visiting these places which are, and ought to be, National Museums.

SIR G. CAMPBELL: I also would support the appeal of the hon. Member for West St. Pancras for Sunday opening, and I would make a suggestion on the subject. I regret that this discussion was not raised on the Vote for the British Museum, as I think Museums are more proper things to open on Sundays than even Picture Galleries. But we refrained from entering upon the subject last night knowing that the Irish Members had a very important question to raise in connection with the Vote for the British Museum. Though I do not believe the people of London care much for this old Art, yet, no doubt, people who come from the country and do not know better, like to visit the public galleries, and I think they should have facilities for doing so at the time most convenient to them. I do not say whether I am a Sabbatarian or an Anti-Sabbatarian, but I think this matter should be decided by the people according to their own views. I say to the people of London, "It is not for me to decide this question, but for you." A feeling is growing up in Scotland for the granting of facilities of this kind, and I hold that the decision of the matter should be left to the public in the different localities. What I would suggest in the present Vote is this: We are told that the County Council of London by a large majority have voted and petitioned in favour of the opening of the Galleries and Museums on Sunday. Well, I think that is a great test of the feeling of the public, but I would carry it further and say to the County Council, "If you are in earnest in this matter bear the extra expense yourself." Though these institutions are, no doubt, national, we cannot lose sight of the fact that the people of London have special facilities for availing themselves of them, and I think they should show their willingness to bear any expense which the acceptance of the proposal of the hon. Member for West St. Pancras would entail. If the localities are willing to incur the expense the Government should raise no difficulty in the matter. As to the grant of £5,000 for new pictures, the Secretary to the Treasury has pleaded guilty to having paid this money in breach of an understanding that no further money was to be granted pending the making of a final arrangement. It is the old story. However much you give the Trustees of the National Gallery they must have more. But much as I dislike this grant, and however contrary it is to the understanding, it is impossible to resist it in such a House as this. I protest against the Vote being taken at such a late period of the Session.

*SIR J. PULESTON (Devonport): There is a great deal of feeling throughout the country on this question of the Sunday opening of Museums, and I hope it will not be lightly considered on an occasion like the present. I believe that a large preponderance of the working masses are opposed to the principle, and I trust that Her Majesty's Government will hesitate before they accept the advice of hon. Gentlemen opposite.

MR. BRADLAUGH: I would appeal to my hon. Friend not to divide the Committee.

MR. LAWSON: I do not intend to divide the Committee, but I would point out that the Trades Union Council have passed a resolution by a majority of two to one in favour of the Sunday opening of Museums, whilst the London Trades Council have passed a similar resolution unanimously, and the Edinburgh Trades Council have passed one by a large majority.

Question put, and agreed to.

2. £1,291, to complete the sum for the National Portrait Gallery.

3. Motion made, and Question proposed,

"That a sum, not exceeding £13,000 (including a Supplementary sum of £1,600), be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1890, for Grants in Aid of the Expen-

diture of certain Learned Societies in Great Britain and Ireland."

DR. CLARK (Caithness): Under "a" I see an item of £1,000, which it is proposed to grant for a catalogue of scientific papers. I suppose this is to be given to the Royal Society. I want to know on what ground this sum should be given to the Fellows of the Royal Society? I am not prepared to vote a penny to that Institution, or to the Royal Irish Academy, so long as Scotland is treated so shabbily. The Royal Society of Edinburgh only receives £300 a year, which comes back again to the Exchequer in the shape of rent and taxes; whereas the Royal Irish Academy receives £2,000 a year, and the Royal Society of London £4,000 a year, and £15,000 a year for meteorological work. I beg to move the reduction of the Vote by the sum of £1,000.

Motion made, and Question proposed, "That Item A, for the Royal Society, be reduced by £1,000."—(*Dr. Clark.*)

MR. JACKSON: There have been already published, at the public expense, three volumes of this catalogue, and another volume has now been prepared. These societies come to the Treasury and say that on previous occasions they have come to us and we have paid for these extra volumes. The Government came to the conclusion that, instead of undertaking to pay the whole cost of the pubtion, they should grant £1,000 and leave leave the expenditure, whatever it is, to bemet by the Royal Society. Some small sums have been received as the proceeds of sales, and they have been paid into the Exchequer.

DR. CLARK: Where are these scientific papers? Are they in the British Museum, or in the Library of the Royal Society, and are they open to the general public, or only to the Fellows of the Society? Is this catalogue a catalogue of papers of the Royal Society, or of scientific papers generally?

MR. JACKSON: Of scientific papers generally.

DR. CLARK: Where? All over the world?

MR. JACKSON: Certainly.

Amendment, by leave, withdrawn.

Original Question put, and agreed to.

4. £8,810, to complete the sum for the London University.

5. £21,000, to complete the sum for Universities and Colleges, Great Britain.

DR. CLARK: There is a sum of £15,000 distributed amongst colleges. I should like to hear the names of the colleges to which the money goes, the grounds on which it is allocated, and whether any of it is given to Scotland.

MR. JACKSON: The question has not been one of England or Scotland, but in what way the objects can best be attained which the grant is intended to promote. I believe that general satisfaction is expressed at the way in which the money has been allocated by the Committee which was appointed for that purpose. The colleges which have received the grants are these:—

	£
Owens College Manchester ..	1,800
University College, London ..	1,700
King's College, London	1,700
Liverpool University College ..	1,500
Mason College, Birmingham ..	1,400
Yorkshire College, Leeds	1,400
Nottingham University College ..	1,400
Bristol University College ..	1,200
Durham College of Science, Newcastle-on-Tyne	1,200
Firth College, Sheffield	1,200
Dundee University College ..	500

DR. CLARK: What is the basis upon which the grants have been made?

MR. JACKSON: I am afraid the hon. Gentleman does not read his Parliamentary Papers, because full information has been given on the subject in a paper entitled, "Grant to University Colleges in Great Britain." The concluding words of the Report of the Committee are as follows:—

"In determining the distribution of the grant, your Committee calculated the amount to be given to each college under two heads, A. and B.; A. being regarded as assisting in providing appliances (professorial staff and apparatus) for adequate and full instruction of a University character in arts and science, and B. being in proportion to the amount of local support and instruction given. In consequence of the suggestion in the Minute that regard should be paid to 'the financial position, especially of the newer and poorer colleges,' your Committee determined that on this occasion no college should receive more than £1,800. Considerable differences of opinion showed themselves on the question of giving chief prominence to tried efficiency, or to poverty and newness. The amounts eventually arrived at harmonise these as far as was found possible. Under A., your Committee allotted a fixed sum to each college, and a grant to the college for each professor or head of a department; under B., they gave a

certain percentage on the total amount of local subscriptions and students' fees. It is difficult to award a grant in proportion to the number of students directly, as a distinction must be drawn between those attending a few lectures in a desultory manner and those giving their whole time to college work. To get over this difficulty your Committee have taken the income from students' fees as a basis. A grant so determined will be in direct proportion to the amount of instruction given; those taking short courses or attending some evening classes paying small fees, and so on in proportion. Thus the grant under B. is, roughly, a percentage on the college income from all sources."

It was thought that this was the truest way of appropriating the money so as to secure the greatest advantage from the expenditure.

DR. CLARK: I am glad to have got this information. Probably this Paper is one of those that a Member only obtains by applying for. I have not had one. I tried to get the Librarian to obtain one for me, but he was unable to do it. Now that I know the facts I find that Scotland, as usual, has been neglected. There was no Scotch Member on the Committee, and nothing has been given to Anderson's College, Glasgow, which Dr. Birkbeck, who was a student there, took as his model in establishing colleges throughout England. That college, though all these other colleges practically originated from it, does not get a farthing. The Heriot-Watt College does not get anything, and only £500 out of the £15,000 goes to Scotland. Scotland gets only one-thirtieth of the money. It is too late this Session to raise this question, but undoubtedly next year, if there is no change made, I shall move a reduction of the Vote, and raise a claim for the Scotch colleges.

SIR G. CAMPBELL: I really think Scotland has been unfairly treated in this matter. Why should she only receive one-thirtieth part of this grant? The University of St. Andrew's has done much to give an excellent scientific education, and if any institution obtains aid of this kind St. Andrew's ought. I cannot understand why Dundee should get £500, and poor St. Andrew's, with its desire to give scientific instruction, should get nothing at all. I cannot conceive how the thing has been arrived at, and I hope the Secretary to the Treasury will tell us who were the members of the Committee. I gather there was no representative of Scotland upon it.

*MR. JACKSON: I had no idea that there was any ignorance as to what was taking place. The members of the Committee were Sir John Lubbock, Sir Henry Roscoe, Dr. Percival, Mr. G. R. Brown, and Mr. R. G. C. Mowbray. I find that in the Report of the Committee it is said there was only one application from Scotland and that that application was met. The application was in respect of the University College of Dundee. Surely it was perfectly well known that a certain sum of money had been set aside by the Chancellor of the Exchequer to be used in this particular way. Of course, all the colleges and institutions which did come within the terms laid down for the apportionment of the grant were open to make application.

SIR G. CAMPBELL: I am sure there could not have been a better Committee as far as England was concerned, but as to Scotland not one member of the Committee had the smallest connection or personal knowledge of that country. As to the absence of applications, we find that many Members of the House of Commons did not know much about this matter. Is it surprising, therefore, that the people of Scotland did not know much about it?

MR. CALDWELL (Glasgow, St. Rollox): I must confess to a good deal of ignorance in this matter. When the Chancellor of the Exchequer told us he was going to set aside a sum for the encouragement of scientific researches in the Universities, I really thought his remarks applied to England and Wales. I know that some of the scientific classes in Glasgow are in a very distressed condition; certainly had we known that the grants would be extended to Scotland we should have applied for aid. However, I am sure the Treasury have no wish to treat Scotland differently to any other part of the United Kingdom, and that now the subject has been broached they will see that the claims of Scotland are properly considered.

DR. CLARK: The hon. Gentleman has not answered my question—namely, whether this grant is only for the present year or for a number of years? I know that some of the colleges I have mentioned have applied to the Treasury

and been refused, and I am not aware that the other colleges had any notice given to them. There was no Scotchman on the Committee, and it is quite evident that Scotland has been neglected. The authorities of the Scottish colleges did not know this money could be got. Otherwise I know they would have made application. If the grant is only for the present year I have no objection to offer, but if it is for a number of years I shall have to take a Division.

*Mr. GOSCHEN: It is only for this year; the Vote will have to come up again next year. The hon. Gentleman forgets that we have this year increased the grant to the Scottish Universities by £8,000, and that we help the Scottish Universities as we do not help the English Universities. We now give £42,000 a year to the Scottish Universities, and there is but a very small parallel grant given in England—namely, that given to the London and Victoria Universities. The hon. Member may rest assured he will have an opportunity another year of pressing the claims of any Scotch college.

Mr. E. ROBERTSON (Dundee): I understand that as regards the English colleges this Vote is presented in pursuance of a system which is perpetual, but that that is not the case so far as the Scotch colleges to which a grant has been made is concerned. Although an allowance has been made to the Dundee University College that institution has not been placed on the same footing as the English colleges. I am informed there is this difference between the University College of Dundee and all the other colleges—that the average grant made to the English University colleges is about £1,500 per annum, while the amount allowed to the Dundee colleges is only £500. Another difference is that the English colleges are assured that the grant in their case is to be a perpetual grant, whereas the grant to the Dundee College is expressly limited to this one year. Now that, on the face of it, looks very like undue preference. I understand, too, that one reason why the Dundee College received a grant was that in a very short time it will occupy peculiar relations to one of the Scottish Universities. I respectfully submit to the Chancellor of the Exchequer and to the Secretary to the Treasury that, however excellent may be the plan to which they have assented, they have certainly manifested an undue preference for the English colleges.

Mr. MOWBRAY (Lancashire, S.E., Prestwich): As a member of the Committee entrusted with the distribution of this grant, let me say it was precisely because there was an idea that the University College of Dundee might be brought into connection with the University system of Scotland that the Committee considered the case of the Dundee College to be an exceptional one for this year, and we treated it therefore in an exceptional manner. As to the absence of Scotch Members on the Committee, I should like to observe that Dundee was in the very favourable position that the Member for South Manchester (Sir H. Roscoe), who was a member of the Committee, is himself a member of the Governing Body of Dundee, and therefore takes a great interest in the welfare of that institution. As to notice being given to the Scottish colleges, I can only say that as soon as the appointment of the Committee took place, I received a letter from the Principal of Dundee College, laying the claims of the college before me. It appears to me that if the heads of the other colleges, who are now disposed to put in a claim for a share of this grant, had shown the same activity, their cases might also have been considered. As a matter of fact, there was not the slightest suggestion made that any other college in Scotland laid claim to a grant.

Mr. CALDWELL: There is one point I should like the Chancellor of the Exchequer to consider, and that is that the claims of the Scotch Universities are peculiar, because their maintenance is one of the conditions of the Union. They have no national property to fall back upon, because it has been merged in that of the United Kingdom. The position of the Scotch Universities must be maintained by the Imperial Government. It is a responsibility from which they are not entitled to relieve themselves.

Sir G. CAMPBELL: I have not the least doubt that the hon. Gentleman (Mr. Mowbray), and the other members of the Committee, acted in perfect good faith, but it does not seem to me that the hon. Member's statement has bettered the case as far as Scotland is concerned. He says that the Dundee

College was really represented in the Committee, and therefore it got a grant. Those who were not in the swim, so to speak, got nothing. I hope that, under the circumstances, the Government will see their way to give some grant to the other Scotch Colleges.

MR. E. ROBERTSON: The hon. Gentleman has admitted that the Dundee College is exceptionally treated, because of its probable connection with the University system of Scotland. The Universities of Scotland will be unwilling to encourage this affiliation if they have to pay for it. I protest against the grant to Dundee being so small as it is and being limited to one year.

DR. CLARK: As this question will come up next year, I will not say much more about it. I think the Chancellor of the Exchequer has scarcely fairly stated the case. In this very Vote there is £12,000 set down for the North Wales Colleges. In Vote 16, £36,000 is taken for the Queen's Colleges in Ireland, of which we get back about £5,000. The three old English Universities were endowed, but all the new Universities started since then get grants from Parliament. I am not prepared to admit the great increase in the grant to the Scottish Universities; but it must be borne in mind that the property by which those Universities were maintained became British property by the Act of Union, and, therefore, you ought to maintain those institutions. I think, too, you ought to maintain them in a decent fashion, and not begrudge every farthing you give them.

Vote agreed to.

Resolutions to be reported.

CLASS V.

Motion made, and Question proposed,

"That a sum, not exceeding £116,698 (including a Supplementary sum of £7,650), be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, for the Expenses of Her Majesty's Embassies and Missions Abroad."

MR. LABOUCHERE (Northampton): I have given notice of an Amendment to reduce the amount of the salary of the Minister to the Argentine Republic by £1,300. There are many Ministers in South America. Most of these Ministers used to be Consuls General and Ministers Resident, but they have been raised to Ministers Plenipotentiary. Why they have been so raised except to spend a little more money and give a little more patronage I do not know. In the case of the Argentine Republic you converted your Consul General into a Minister Resident, and then you converted him into an Envoy Extraordinary and Minister Plenipotentiary. I have no objection to our Representative having any number of titles he likes; but, unfortunately, when a change of this kind is made it costs the country a great deal. £3,000 a year is paid to the Envoy Extraordinary to the Argentine Republic, £500 to the Secretary to the Legation, and £200 to his clerk, and £435 to the Second Secretary to the Legation; £400 is allowed for rent. In the case of a Minister Resident and Consul General there is no Secretary to the Legation, and there is no Second Secretary. The Minister Resident and Consul General at Chili receives £2,000, without any allowance for rent; in all our representative at Chili costs us £2,250, as against £4,535, the cost of the Legation in the Argentine Republic. Chili is just as respectable and important a country as the Argentine Republic. In Peru and Paraguay, which are close by, you find Ministers Resident and Consuls General. Besides an Envoy Extraordinary in the Argentine Republic you have at Buenos Ayres a Consul, to whom you give £900 a year, with an allowance for office; and in Chili you also have a Consul receiving, I think, £1,000 a year. If you have a Minister Resident and Consul General in the capital of the country, you surely do not require to have a Consul General at £900 or £1,000 per annum besides office expenses. But my great point in regard to the Argentine Republic is that really there is no difference between the Argentine Republic and any other place in South America. There is not sufficient difference to justify you in spending £3,000 more upon the Mission there than upon the Mission to any other South American Republic. A friend of mine told me the other day that it is really an absolute waste of money. He said—

"The inhabitants of the Argentine Republic are very sensible people. They despise all this fuss and show; they know nothing about an

Envoy Extraordinary; they want a quiet, decent, honest man, who receives a reasonable salary, without all this fuss and bother, costing £5,000 a year."

They are perfectly satisfied with your Minister Resident and Consul General, or they would be satisfied with having a Consul General alone. I beg to move that the Vote be reduced by £1,300, which will bring the salary of the Envoy Extraordinary to about the level of the salaries of our Representatives in other South American Republics.

Motion made, and Question proposed, "That Item A, Salaries, &c., be reduced by £1,300, part of the salary of the Minister to the Argentine Republic."—(*Mr. Labouchere.*)

MR. BRADLAUGH: Before the right hon. Gentleman answers my hon. Colleague, I should like to ask him if he can give us any further information as to the result of the investigation concerning the unfortunate emigrants who suffered such severe privations in the Argentine Republic, and I would at the same time ask whether it is not possible for our Representative in the Argentine Republic—Minister, Consul General, or whoever he may be—to send information to this country before the evils rise to such an extent that of necessity they are brought before the attention of this House. I admit that after attention was drawn to these matters in the House the Foreign Office acted with great promptitude, and a great deal was done to relieve the distress, but it was after the distress had risen to a height to attract public attention, and while the agents of the Argentine Republic were still allowed to tempt emigrants.

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): I will first answer the points raised by the senior Member for Northampton (Mr. Labouchere). He has moved the reduction of the Vote for the salary of Her Majesty's Minister at Buenos Ayres, and he says he does not know what good reason there can be for raising the rank of Her Majesty's Representative at these places in South America.

MR. LABOUCHERE: At this place alone.

*SIR JAMES FERGUSSON: Yes, in the Argentine Republic. The hon. Member thinks the duties might well be discharged by an official of lower rank, and that the staff of a Minister Plenipotentiary is not required, and that the South American Republics are indifferent to representation of this country by officers of high rank. These, I think, are the chief grounds upon which he moved the reduction. Now, on all these points I must traverse what the hon. Gentleman has said. On this subject I think I cannot do better than refer to the Report of the Committee which sat on the Diplomatic and Consular establishments in 1870. In that Report it was stated that it was desirable to give Her Majesty's Representatives at various places places in South America the rank of Minister without increasing their pay. Lord Hammond, who was then Under Secretary of State, gave evidence before that Committee as to the importance of keeping Representatives of the higher rank at those posts; and he said so keenly did these South African Republics feel the importance attached to our representation being by officials of high rank that one of these Governments, when accrediting a Minister jointly to this country and France, fixed the residence of their Representative at Paris instead of London, because we kept a Representative of lower rank in South America. Lord Hammond particularly noticed the case of the Argentine Republic, and dwelt on the importance of British interests there. Since 1870, the Argentine Republic has greatly advanced. The country has developed in an extraordinary degree during the last 10 years. Last year about 1,100 persons emigrated from this country to the Republic, and there are probably 100,000 British subjects there now. Our commercial interests there have very much increased, and undoubtedly our relations with that Republic are more important now than with any other South American country, except, perhaps, Brazil. Her Majesty's Representative at Buenos Ayres was already a Minister Plenipotentiary when we were represented by a *Chargé d'affaires* at other places in South America, and it has always been considered that the post there is more important. The tide of emigration which has flowed towards Buenos Ayres and the Argentine Republic has thrown a great deal of extra work on Her

Majesty's Minister there, and I cannot speak too highly of the manner in which that official has devoted himself to the interests of the poor people who have emigrated there in large numbers. He has been well seconded by the British residents, who formed themselves into a Committee for the assistance of poor emigrants, and requested the British Minister to put himself at their head. The junior Member for Northampton has asked a question as to the result of the inquiries made with regard to emigration. I have had considerable experience in watching emigration to our own possessions and to foreign countries, and I have never heard of so much care being taken of emigrants in any country as in the Argentine Republic, except in our own possessions. The Argentine Government, according to our information, have made careful and liberal arrangements for their reception and distribution. No doubt there has been mischief done by unscrupulous agents in Europe who have held out hopes to all sorts of people of fortunes to be made in the Argentine Republic, and many unsuitable persons were sent from Ireland—bad characters and persons of idle habits. ["Oh, oh!"] Well, I suppose even in Ireland there are people of bad habits. I am speaking of facts within my own knowledge when I say that most unsuitable persons were collected and sent out as emigrants to the Argentine Republic, but there is abundant evidence that able-bodied men with small families can do as well there as in our Australian Colonies. Great pains are being taken to form Englishmen and Irishmen into special settlements under conditions suited to their former habits, and where their interests can be looked after much better than if they were scattered through the whole country. I believe the Argentine Government are now very much more careful as to the agents they employ, and we have done our best to furnish the Emigration Office in London and the Irish Government with all the information that can be obtained from the full Reports sent home by Her Majesty's Minister at Buenos Ayres, so that those who think of emigrating there may have before them the exact prospects they may anticipate, and need not go out with any false ideas.

MR. BRADLAUGH: May I ask whether there has come to hand the result of the investigations into the alleged insufficient supply of food to emigrants and bad treatment on the voyage out by the agents of the Argentine Republic?

*SIR J. FERGUSSON: Yes, that has been gone into, and the Papers, if they are moved for, will give the House all the information we possess on this subject. I cannot find there was much wrong in the food supply on the voyage except, perhaps, on one vessel where there was a dishonest steward. On the whole, I do not think that the emigrants suffer greater hardships than may be expected by newcomers in any country. I think the Committee will see that no case has been made out to justify the reduction of the Vote on the grounds put forward by the hon. Member for Northampton.

MR. LABOUCHERE: I do not think that anybody who has listened to the right hon. Gentleman will agree that he has made out a case against the reduction. The right hon. Gentleman has based his defence on one ground. He defends the expenditure of £3,000 a year more in the Argentine Republic than in other South American Republics on account of the rank of our Representative, on the ground that there is a large emigration from this country to Buenos Ayres and that the Minister looks after the emigrants. Now the right hon. Gentleman has distinguished himself as a Governor and in other ways, but I do not think he was ever on a mission. The Chancellor of the Exchequer has had some diplomatic experience at Constantinople. But I may tell the right hon. Gentleman that the last place an emigrant thinks of going to is the Legation if there happens to be a Consulate. No emigrant to America ever dreams of going to the British Minister at Washington. I really do not think the right hon. Gentleman supports his position in any way when he says there are more emigrants go to the Argentine Republic than to other South American Republics. He tells us there was a Committee in 1870, and no doubt there was, and the rank of our Representatives is in accordance with the recommendations of the Committee. Probably some 50 people in the Republic know the difference between a Minister

Plenipotentiary and a Chargé d'affaires, and it may make them happier. The Committee wanted to do something, and they made their recommendations. We know how these things happen in Committees. But you do not carry this out fairly; you make a distinction in regard to the Argentine Republic. Now, Monte Video is almost opposite Buenos Ayres, just as Calais is opposite Dover.

*Sir R. FOWLER (London): Ninety miles apart.

Mr. LABOUCHERE: Yes, I know; and Calais is only 24 miles off. You have Uruguay on the one side, and, I suppose, there are a considerable number of emigrants there, and there you have a Consul General to whom you pay £1,600, or, with his clerk, £1,750; and at Buenos Ayres, opposite Monte Video, you have a Minister and his Secretary, &c., costing £4,635. The right hon. Gentleman mentions a case in which he says a South American Republic, influenced by the rank of our Representative out there, fixed the residence of their joint Representative for England and France in Paris. Well, of course it is the same in South America as in North America—the people like Paris, they look upon Paris as a place for good people to go to. Having a choice between London and Paris they prefer Paris. It may be bad taste, but so it is. Really, considering the Ministers we have had from these South American Republics—I have known some of them—the less we have of them the better. So far as I am concerned they may all live in Paris. I am not speaking of present Representatives—let these be exceptions—but my experience of these gentlemen who have the title of Ministers is, that they get little salary; they get their livelihood in a precarious, speculative sort of way; they make bogus treaties, and they play billiards. When we are told that we ought to pay £3,000 extra to one of these South American Republics, because if we do not that Republic may positively be so antagonistic that they will send their Minister to live at Paris instead of in London, it is a litle too absurd. If that view is the true one, then we ought to make them all Ambassadors at once for fear of exciting jealousy. It is the duty of the Under Secretary to defend it; but with his experience of the Foreign Office, he must know perfectly well that it is an utterly useless and wasteful expenditure of public money. Under the circumstances, I must ask the Committee to divide.

Mr. MOLLOY (King's County, Birr): I shall support my hon. Friend, not that I can enter into these diplomatic distinctions and what he calls fuss and feathers, for I am bound to admit I do not understand these things; but in regard to emigration I may say a word or two. Our Ambassador—or whatever he is called—in the Argentine Republic took no precautions whatever in regard to the arrival of emigrants.

*Sir J. FERGUSSON: The hon. Gentleman is quite mistaken. The Minister engaged himself with the Relief Committee beforehand, when he heard that a large number of English and Irish emigrants were coming. It happened that a large number of emigrants had arrived a day or two before, and the barracks where emigrants are accommodated on their arrival were full. The Minister with the British Relief Committee took immediate action. The Committee provided for some of the poor people in their own houses, and but for the relief afforded by the Committee the people would have suffered much more than they did.

Mr. MOLLOY: The fact remains that no action was taken by the Minister until the British residents formed themselves into a committee and went to the Minister and induced him to put himself at their head. Agents came from the Argentine Confederation to England and Ireland to induce people to emigrate, but what notice of this was taken before these agents came over? The intention was well known in Buenos Ayres, and yet no information was given, no precaution was taken; the evil was allowed to be done, and no action was taken until the British residents took the matter up, and, thus invoked, the Minister gave his assistance. The explanation of the right hon. Gentleman is not satisfactory. For what purpose I cannot conceive, the right hon. Gentleman stated, as an excuse for the miseries that these unfortunate people suffered, that the emigrants were mostly Irish and of bad character.

*Sir J. FERGUSSON: No.

Mr. MOLLOY: I noticed at the same time that the Chancellor of the Ex-

chequer tried to stop the right hon. Gentleman by pulling his coat-tail. Now this is a grave accusation to make. We know these people who went out yielded to the temptations of the Argentine agents over here, and owing to the want of precautions taken by our Minister. What warrant has the right hon. Gentleman for saying that the people who went from Ireland were mostly composed of idlers and bad characters?

*SIR J. FERGUSSON: I never said such a thing. I said that too little care was taken in the selection of suitable emigrants, and that many sent from Ireland were not fitted to make good colonists; that a considerable number were of idle habits. It was the fault of selection. I know that there are a large number of Irishmen now in the Argentine Republic who are doing exceedingly well, and are good colonists from every point of view. I never said anything approaching the statement that the Irish emigrants were chiefly bad characters. I said there were many who were unfortunately chosen.

MR. MOLLOY: The great majority of them.

*SIR J. FERGUSSON: I never said so.

MR. MOLLOY: Certainly the impression conveyed was that a large number were composed of idlers and bad characters, and I at once drew attention to the remark across the House, and the Chancellor of the Exchecquer tried to check it. Does anybody know if an emigrant is well fitted until he becomes acquainted with the habits and work of a new country? Still the fact remains that the Minister Plenipotentiary, with practically nothing to do—I have visited some of these countries, and I know their life is that of ease and leisure—allowed these agents to come to England and Ireland and induce these families to go out, and sent no word of warning that might have saved them from the miseries they underwent. There is nothing more unfortunate in the history of my country than the miseries that emigrants have had to undergo. I have seen them landed in foreign countries where we have Ambassadors, Consuls, and an expensive Diplomatic Service, and yet they have become absorbed in the miseries and vices of a foreign city, and no help has been afforded to give them a fair chance; the men become drunkards, the women become something worse. How is it with all this expenditure on the Diplomatic Service no precautions are taken against these things? Go to any country you like, it is not from the diplomats the emigrants get any assistance, whatever help there is comes from private associations. And here in this House we have excuses made, and no word of sympathy for the unfortunate people who have suffered these miseries that a word of warning might have prevented. So far as I know, and I have made some inquiry, notwithstanding the examples we have had, notwithstanding the evil that has been done, no public warning has been sent by the Minister. It may be he has done so in private but that is of no use to the public. The agents are still endeavouring to get people to emigrate, and there is no warning of the dangers and difficulties before them. I shall support the hon. Member in his Motion for a reduction, not on the ground he has himself taken, but on the ground that the work for which these gentlemen are paid has not been done, and in order to mark the opinion of the Committee with regard to the grave dereliction of duty on the part of the Minister Plenipotentiary in the Argentine Republic.

*SIR JAMES FERGUSSON: Before we divide I should like to assure the Committee of my own knowledge that there is not the slightest foundation for the statement of the hon. Member that her Majesty's representative at Buenos Ayres has been in the least degree indifferent to any of his duties, and particularly in looking after emigrants who have gone out there. That gentleman has gone out of his way to take an immense deal of trouble to assist them. He has also sent home a large quantity of useful information, as will be seen when the Papers are distributed.

MR. MOLLOY: I do not dispute that he is doing so now——

*SIR JAMES FERGUSSON: And has done so all along.

MR. MOLLOY: I challenge denial when I say that no warning of any sort was sent by our Minister Plenipotentiary to this country, and the truth is a number of unfortunate families have been dragged to ruin through his dereliction of duty.

MR. LABOUCHERE: Does the right hon. Gentleman realise the distinction between a Minister Resident, or Envoy Extraordinary, and a Consul? The business of the former is to communicate with the Government respecting political matters, while the latter has to send home Commercial Reports. You have at Buenos Ayres, in addition to the Minister Resident, a Consul General who receives a salary of £1,000 a year, besides expenses to the extent of £500 a year. You have also a Consul at Rosario who gets £500 per annum. Why do not these gentlemen look after emigrants, and why is so much more given to our Representatives at Buenos Ayres than at Monte Video?

MR. SEXTON (Belfast, W.): I did not hear the formal speech of the Under Secretary of State for Foreign Affairs, but I heard the account given of it by my hon. Friend, and I must say that the few words which have just been uttered have not materially qualified that account. In defending the inaction of the Minister to the Argentine Republic the right hon. Gentleman has defamed the character of the people of Ireland. You give this Minister a salary of £3,000 a year, while your Consul gets £1,000 a year, and when it is obvious that poor people have been seduced from Ireland by false representations, these officials might surely have issued a warning as to the conditions under which the emigrants could be safely conducted. But the Consul gave no such information, and I should like the right hon. Gentleman to tell us why. Surely the Minister could have made some arrangements for the reception of these emigrants and have issued some notification to the people at home, which would prevent a recurrence of these disgraceful calamities. It does not appear that up to a recent date any sort of information was given, though the Minister now seems to be atoning for his neglect. With regard to the attack which the right hon. Gentleman felt himself justified in making on these emigrants, my hon. Friend informs me that he spoke of them as people of bad character, and I think we are entitled to know what he meant by that, for it is not to be tolerated that a Minister should rise in his place and fling general imputations of bad character against these poor helpless people. It is the first time I have heard, either in this House, or out of it, that the Irish emigrant is unwilling to turn himself to any particular work, and I will ask the right hon. Gentleman to tell us what work it was that these emigrants were unwilling to do. If the charge be true that these people were idle and not good colonists, then they must be different from all the Irish emigrants I have ever heard of, and I think the Home Secretary, who has had some experience of Ireland, will be able to confirm me when I say that if there is any hard work to be done, the Irish emigrant is the man to do it. I repeat that these Irish people are about the best colonists that can be obtained. They are as ready and as able as any other people to accommodate themselves to different kinds of labour. If the right hon. Gentleman knew anything about the Argentine Republic, he would know that it is Irishmen who have done most to build up the prosperity and make the progress of that Republic; and, in the face of these facts, I think he was not judicious in rising at the Table and making an attack on an inoffensive people who were led to a distant part of the world by false representations. I noticed that the Chancellor of the Exchequer was on the Ministerial Bench at the time, and did not interfere; but had the First Lord of the Treasury been present, no doubt he would have used his influence to prevent such unfounded charges being made.

*SIR J. FERGUSSON: The right hon. Gentleman could hardly have heard my answer to the hon. Member for Northampton with respect to the hardships suffered by some emigrants to the Argentine Republic. I thought it proper to give the information which I have received, and which will soon be in the hands of Members. What I said was that for the most part the emigrants did very well, but that in some cases there had been a careless selection of emigrants, some of whom were not suitable, and others not of good character. As a fact, I believe that some of the emigrants have proved excellent colonists. In Ireland, as in England, I suppose, some are fitted for emigration more than others. I cannot help it if the right hon. Gentleman is not pleased. I am glad to know that the

Minister has been doing his duty and exerting himself on behalf of colonists.

DR. CLARK: I think good reason has been shown for this reduction. Why should the Argentine Republic have both a Minister and a Consul, while seven other South American States are satisfied with a Minister and Consul General combined in one person? Why should the Argentine Republic have a special envoy?

*SIR J. FERGUSSON: I have already answered that point. I cannot help it if the hon. Member was not in the House when I answered the hon. Member for Northampton.

DR. CLARK: I was in the House and heard the attempted explanation of the right hon. Gentleman; but certainly, so far as I can judge, he gave no reason why we should vote this extra money to the Argentine Republic.

*SIR J. FERGUSSON: What I said was that British trade and interests were greater in the Argentine Republic than in any other South American State except Brazil. The expense of living at Buenos Ayres, owing to its rapid development, has largely increased of late years. There is no reason at all for the reduction of the Vote.

MR. LABOUCHERE: I admit that the right hon. Gentleman has given reasons for this heavy expenditure, but they are not good reasons. The cost of living in the Argentine Republic is not greater than in Peru or Monte Video, and the Minister is not called upon to entertain to any considerable extent.

The Committee divided:—Ayes 59; Noes 101.—(Div. List, No. 313.)

Original Question again proposed.

MR. LABOUCHERE: I have an Amendment to reduce the Vote by £3,000, but I propose only to move a reduction of £500, and in doing so I have to discuss two points, the first being the salary paid to Her Majesty's Ambassador at Vienna. There is nowadays a great tendency to appoint Ambassadors where Ministers Plenipotentiary and Envoys Extraordinary have been before. An Ambassador has a higher salary and a higher retiring pension, in return for which the country gets no practical advantage, the only difference between the two positions being that an Ambassador can demand a private audience of the Monarch of the country to which he is accredited, because he is supposed to be the direct representative of the Sovereign who accredits him; whereas a Minister Plenipotentiary and an Envoy Extraordinary has not that right. It seems to me that this is a small and impracticable advantage. I have taken the case of Austria because it is first on the list, but the same observations apply to other countries. In Spain and Italy, for instance, Envoys Extraordinary have been converted into Ambassadors. It may be said that where foreign countries send Ambassadors here we should send an Ambassador to those foreign countries; but that is not true as a general rule. In some cases we send Ambassadors to foreign countries which only send Envoys Extraordinary here. That is my first point. My next is that the Ambassador at Vienna is paid £500 a year more than the Ambassadors at Berlin and St. Petersburg, and I want to know the reason for that difference. It is said that the Ambassador is given this high salary at Vienna because the expense of living is very high. I should have thought it was as expensive at Berlin, but there is no question of this—that the expense of living at St. Petersburg is at least one-third higher than in Austria, although we pay less to our Representative in St. Petersburg than we do to the Ambassador in Vienna. I, therefore, ask the Committee to agree with me in making this reduction as a protest, in the first place, against the whole system of these Ambassadors abroad; and, in the second, against paying our Ambassador in Vienna so much more per annum than those in Berlin and St. Petersburg. There is another small point I wish to deal with. There is £300 put down for a chaplain. There is no such thing as a chaplain to an Embassy, but in places where there is a Consul a chaplain can be paid double the sum subscribed by the residents for his support. Here the chaplain is put down as chaplain to the Ambassador. I find that there is a Consul General at Vienna. He is a very ornamental sort of gentleman, because he receives no fees, and the total fees he collects during the entire year are £35. The existence of this gentleman entails upon us a cost of £300 for a chaplain, and, I think, most improperly. I beg to move the reduc-

tion of the salary of the Ambassador in Austria by £500.

Motion made, and Question proposed,

"That Item A, Salaries, &c., be reduced by £500, part of the Salary of the Ambassador to Austria."—(*Mr. Labouchere.*)

*Sir J. FERGUSSON: I am glad the hon. Gentleman has not referred to the Vienna Embassy because he objects to it particularly, but only on the general ground that Ambassadors are not necessary, and that the work may as well be done by representatives of lower rank. Well, Sir, it has become the practice of late years for the Great Powers to be represented at each other's Courts by officials of the highest rank. It is a matter of International courtesy, and certainly English interests abroad are not less now than in times past. The hon. Gentleman has remarked on the recent raising of the rank of the Representative at Madrid to that of Ambassador, but he has fallen into the mistake of imagining that the Spanish Representative in our Court is not an Ambassador. It was because he was raised to the rank of Ambassador that Her Majesty's Government raised the rank of our Representative at Madrid. The proposal came from the Spanish Government, and it was not thought desirable to refuse such a mark of respect to a country which I am glad to say has, of late, been making remarkable advances. The change made there has been made without any additional cost to the public. That has been avoided by a rearrangement of salaries and allowances in other places. As to the chaplain, it has long been the custom to maintain a chaplain at such places, and it is a very comfortable thing for British subjects when they go to a foreign country to find their own church is represented there.

Mr. LABOUCHERE: The right hon. Gentleman has thrown a most extraordinary light on the mode in which money is obtained and spent on this Vote. We have hitherto managed with a Plenipotentiary in Spain and were perfectly satisfied. Suddenly Spain in a swagger sort of way—being a little Power that wants to be a great Power—sends an Ambassador to London, and as a consequence we have to send an Ambassador to Madrid. How is the money got? By the transfer of salaries from other offices. Then the right hon. Gentleman admits either that the Government have been most cruel to other public servants, or year after year they have been paying salaries which are unnecessary. Does the right hon. Gentleman know whether the Spanish Ambassador receives the same salary as our Ambassador in Madrid? I should say that most undoubtedly he does not. So that Spain has made an uncommonly good bargain, because she gets a much larger amount of British money spent in Madrid than she sends to England. How far is this to go? If the Republic of Honduras should send an Ambassador here, would Her Majesty's Government return the compliment? There is one country which shows common sense in this matter. The United States never appoints or receives Ambassadors. An Envoy is good enough for that great country. Then the Under Secretary says it is a pleasant thing to find a church abroad. That may be so, but it is not a pleasant thing for me to have to pay for the chaplain of a church which is not necessarily my church. There are many sects in this country, and for my part I regard them as pretty equal. There is a sect called the Church of England, and there is one called the Presbyterian. The right hon. Gentleman, being a Scotchman, may be a Presbyterian. Does it not shock his sense of justice when he goes to Vienna and finds that, as a member of the fine old sect of Presbyterians, he has to pay for the Church of England chaplain, and cannot find any Presbyterian church? The shameful thing is that this is done by trickery and dodgery. The Ambassador has no right to a chaplain. By rights, I ought to divide twice over—that is to say, in regard both to the Ambassador and the chaplain—but I think I shall have done my duty if I divide the Committee over the Ambassador.

Mr. WADDY (Lincolnshire, Brigg): I have been struck with the argument used by the hon. Gentleman in regard to these chaplains. I find we have such chaplains in Austria, Denmark, Greece, Spain, and Turkey. But what becomes of the wretched and unfortunate Englishman who at this time of the year is wandering in Belgium? There is no chaplain there. What becomes of the English traveller in France? There is

no chaplain there. In Russia and Italy we are chaplainless, and why on earth do we not have a chaplain in Persia? We have as our Representative there a very eminent former Member of this House, and one would have thought that his spiritual affairs would have been looked after more carefully. The fact is, it is simple nonsense, and the excuse is simply an excuse. There is no reason that could be given in regard to any one of these cases that would not apply just as much to the other. As to the question of Ambassadors and Envoys, I should like to know why one is paid more than the other, seeing that they do exactly the same work and have exactly the same responsibility. Why should you pay a man more because you give him a nicer name? I shall certainly feel it my duty to vote with my hon. Friend, unless some explanation is given of the change in the rates we are paying for an article which is admittedly the same.

The Committee divided:—Ayes 52; Noes 96.—(Div. List, No. 314.)

Original Question again proposed.

MR. LABOUCHERE: I see no Cabinet Minister on the Front Bench, and I do not see the Under Secretary for Foreign Affairs, of whom I am anxious to ask a few questions respecting our position with regard to Italy. I experience a difficulty in asking him those questions when he is not here.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. LABOUCHERE proceeded: Some time ago I asked several questions in regard to our relations towards Italy, and particularly in regard to the Triple Alliance. I did not receive any great information upon the matter. It will be in the recollection of the Committee that since then official journals, both of Germany and Italy, have stated that England has actively interfered with the object of inducing the Italian Government to join the Triple Alliance. I wish to know whether this country has any relations with Italy; and, if so, what are they? At the present time Europe is practically divided into two camps. There are Austria, Germany, and Italy on one side entering into what they are pleased to call an alliance for the purpose of peace, but which appears to be practically an alliance of a defensive kind against either Russia or France singly, or Russia and France combined. Now, I am one of those who think that the less we meddle in affairs on the Continent the better it will be for us. This country is an Island, and it seems to me that we ought to take up the same position towards the Continent as the United States adopts towards Europe. If the Continental Powers go to war certainly we ought to regret it, but we ought not to put ourselves between the hammer and the anvil. We ought, perhaps, to give good advice, which probably would not be listened to; but we ought not, directly or indirectly, to enter into any engagement or liability which might drag us into a Continental war. The Emperor of Germany has lately been in this country. I asked a question some time ago as to whether there was any truth in the statement that conversations had taken place between the Emperor of Germany or Count Bismarck and Lord Salisbury defining our position in regard to the Triple Alliance? An allegation has since been made in the *Opinione*, the official journal, that when Prince Bismarck was anxious for Italy to join the Triple Alliance he found Italy somewhat reluctant to do so. The Italian Minister perceived that if a war broke out between Germany, Austria, and France, and Italy were to become the ally of Germany and Austria, although she might, with the aid of Germany and Austria, hold her own on land yet her sea-coast was open to attack on the part of France, owing to the stronger Navy of the latter Power. In those circumstances, it is alleged that Prince Bismarck asked Sir E. Malet to use his good offices with Her Majesty's Government to say or do something that would lead the Italian Government to join the Triple Alliance. Whether a despatch was written or a private letter, or whether personal assurances were given to Italy, does not appear; but, undoubtedly, it is generally believed that at that time Lord Salisbury did make certain communications to Italy which indicated that she could with safety join the Triple Alliance—that we would be on the side of the Triple Alliance, and do our best to prevent Italy suffering loss of territory in consequence of her joining

that alliance. These statements are again renewed in the *Opinione* and another foreign journal; and I should like to have a clear and distinct assurance from the Under Secretary for Foreign Affairs that neither directly or indirectly have we given any species of assurance, either to Germany, Austria, or Italy, that might lead them to suppose that in the event of war between those Powers and France and Russia we should in any sort of way side with the members of the Triple Alliance.

*Sir J. FERGUSSON: This is not the first time the hon. Member has asked me a question of this kind. At the beginning of the Session last year the hon. Member asked a question on the same subject, then as now prefacing it by quoting some rumours which he said had prevailed.

Mr. LABOUCHERE: Will the right hon. Gentleman allow me to correct him on one point? Only two or three weeks ago I asked the right hon. Gentleman whether certain statements in the *Opinione*, which is regarded generally in Italy as an inspired organ of the Government, were correct or not.

*Sir J. FERGUSSON: That is so; but still I am quite correct in saying that the hon. Member asked a question last year which he prefaced by quoting rumours similar in their character to those now brought forward. The hon. Gentleman asked me a fortnight ago whether certain statements in the *Opinione*, alleging that Her Majesty's Government had in some way committed themselves to join the Triple Alliance or give material assistance to Italy in certain contingencies, were correct. At that time I gave a distinct reply, and said that there were no such engagements, and that Her Majesty's Government preserved entire freedom of action in future in case of any eventuality. I happen to know that immediately after I made that statement another Italian newspaper, the *Italia*, which is supposed to be as well informed as the *Opinione*, said that from their point of view, and having the greatest regard for the friendship of England, they thought the statement I had made was perfectly satisfactory and consistent with the facts. The hon. Member asks, *à propos* of some rumours which he has again quoted, of a character which I should have thought were manifestly unauthentic, whether I am still able to say that Her Majesty's Government have not committed themselves to a possible junction with the Triple Alliance. The statement I made to the House in answer to the hon. Member in February of last year was still literally correct. I said on that occasion that Her Majesty's Government were under no engagements to employ the Military or Naval Forces of this country except such as were known to the House, and that their attitude was entirely within and consistent with the Treaties known to the House. I cannot imagine any declaration that can be more precise and authentic than that, and I do not know that the hon. Member has any ground whatever for doubting the repeated statements that have been made, not only in this House, but on behalf of the Government in another place, and which are entirely consistent with that declaration. No country in Europe has more at stake, or is more interested in the maintenance of peace, than Great Britain; and the fact that she is strong makes her moral influence, which must always be on the side of peace, of greater importance. We entirely desire that peace should be preserved, and I believe that other nations appreciate the freedom of action which this country has always maintained. As our interests are world-wide—so world-wide that a disturbance in any part of the world must gravely affect us—it is the more necessary that while our endeavours must always be on the side of peace, the Government of this country shall be free in any eventuality to take that course which the interests of this country, in view of the circumstances, may require.

Mr. PICTON (Leicester): The right hon. Baronet referred in a tone of stricture to my hon. Friend's remarks concerning certain rumours. It is impossible for unofficial Members of this House to be altogether indifferent to this matter. We ask for definite assurances from the official Members of the House. The right hon. Baronet says that this country has preserved its entire freedom of action. That may be very true, but it is quite consistent with the idea that this country may have given an intimation to Italy that, in certain circumstances, this country will probably be inclined to take a particular line of action. The

right hon. Baronet says that the Government have not committed themselves to any possible junction with the Triple Alliance, and I do notwish to misinterpret the right hon. Gentleman, but these words seem to me to be of a rather sweeping character.

*SIR J. FERGUSSON: I should not like to be misunderstood. In order to be quite precise I quoted what I stated before, to which I entirely adhere. I said, "Her Majesty's Government were under no engagements to employ the Military or Naval Forces of this country except such as were known to the House."

MR. PICTON: I am much obliged to the right hon. Gentleman for completing my information, "except such as were known to the House." Unfortunately we private Members are not able to keep ourselves exactly informed as to the precise terms which occur in the various public documents, and we would be extremely grateful if on occasions of this kind Members of the Government would tell us precisely to what we are committed. We want to know, for instance, whether the pressure put upon the House by the Government to increase the powers of the Navy this year was occasioned by the consciousness that we were committed to warlike contingencies. So far as hon. Members are aware there is no engagement except that relating to Belgium; we do not know of any Treaty binding us to maintain the unity of Italy. The pressure exerted by the Government in the matter of naval defence did occasion much uneasiness to some Members who may be regarded as specially lovers of peace—peace consistent, of course, with honour; and I do not think that the information we have received as yet can be deemed satisfactory. We on these Benches are quite as much concerned in the honour as well as in the safety of our native land as any hon. or right hon. Gentleman opposite; but we contend that our honour is not concerned in the defence of institutions which ought to be maintained by the inhabitants of the country that loves those institutions. Anxiety is quickened when we hear of rumours which are not completely contradicted that we are committed to the maintenance of the Triple Alliance.

MR. WADDY: Hon. Members on the Opposition side of the House accept implicitly any statement made by the right hon. Gentleman, either as a private gentleman, or as a public official; but that is not the difficulty. The difficulty lies beyond that. I observe that the right hon. Gentleman did not tell us in definite language that there have been no assurances whatever given by this country, and that there would be no interference whatever by this country to secure the objects of the Triple Alliance. Instead of telling us what it is to which he pledges himself, he resorted to the quotation of words which related to another period; and he used a phrase calculated from past association to arouse suspicion. He spoke of a rumour not being authentic. That word "authentic" has a very unpleasant history.

*SIR J. FERGUSSON: If the hon. Member likes, I will say it is perfectly absurd.

MR. WADDY: That the statement of the *Opinione* is perfectly absurd?

*SIR J. FERGUSSON: No.

MR. WADDY: Ah!

*SIR J. FERGUSSON: No, the statement which the hon. Member made. I gave a categorical answer at the time as regards the quotation from the *Opinione* showing that it was incorrect. I said the rumours to which the hon. Member for Northampton referred are quite unauthentic, and I will go so far as to say they are absurd.

MR. WADDY: I do not understand the distinction drawn between things that are unauthentic and things that are absurd. I said that the word "authentic" has an unpleasant history. We all remember that a very eminent authority, when he was asked in another place questions with regard to a treaty, said, "the rumours in question are altogether unauthentic, and not deserving of the confidence of noble Lords." At the very time that was said the Treaty had been written, and the "unauthentic" statement was perfectly true. What we desire the right hon. Gentleman to tell us is whether we have entered into any undertaking to support Italy by military or naval force. We do not want to hear about what is included or excluded by any particular Treaty. Will he say that there is no

truth whatever in the statement that this country is a party to any assurance or inducement to any member of the Triple Alliance?

MR. LABOUCHERE: The right hon. Gentleman has told us he repeats the words he used in a previous Session, and those words, as I gather them, are that he can assure the House that no engagement has been entered into with Italy to employ the Forces of Her Majesty in the defence of Italy.

*SIR J. FERGUSSON: I said, "Her Majesty's Government were under no engagement to employ the military or naval forces of this country, except such as were known to the House."

MR. LABOUCHERE: But without being under any engagement to employ the Military or Naval Forces of the country in defence of Italy, you may yet convey to Italy in an indirect fashion that so far as the Members of Her Majesty's Government are concerned they approve of the Triple Alliance, and that should any harm come to Italy through her forming the Triple Alliance they will, if they are in office, use their best offices to protect Italy against any loss of territory. I do not suppose that Lord Salisbury, who stands in fear of public opinion, will give any assurances to Italy that will not leave the right hon. Gentleman free to make and repeat the declaration he has quoted. But I will submit to the right hon. Gentleman a form of words that will give satisfaction:—

"That no communication has been made to Italy by Her Majesty's Government, since the accession to office of Lord Salisbury, either orally or in writing, which may lead that country to suppose that Her Majesty's Government would, in any eventuality, protect Italy from the possible consequences in the Mediterranean of her finding herself the ally of Germany, or that Her Majesty's Government approves of the alliance entered into between Austria, Germany, and Italy."

These are broad words; they cover everything; they express what I mean. I have written them down to make it perfectly clear what I mean. I am a simple-minded person, and do not understand all the refinements of the right hon. Baronet or of his chief. I remember the rumours in the Press and the statement of Lord Salisbury with respect to an agreement made with Turkey. If the right hon. Gentleman refuses to give any clear and specific declaration that nothing in the nature suggested by my question has been done, or if, on the other hand, he will give us a declaration which we shall be able fully to understand and be prepared to accept, and which, if given, will prevent our urging at any future time that any secret arrangement has been arrived at in this matter, we shall know or infer what is the true state of affairs. Perhaps the right hon. Gentleman the First Lord of the Treasury or the Chancellor of the Exchequer, or the right hon. Baronet the Under Secretary for Foreign Affairs will answer my question. I am ready to accept the statement of those gentlemen, either jointly or separately. I hope we shall have some sort of assurance from one of them. [*Laughter from the Treasury Bench.*] The right hon. Gentleman laughs. He perfectly well knows that he cannot give any such assurance. He knows that when Lord Salisbury disappears from the Foreign Office traces of this business will be left behind, and the noble Lord will be discovered as he was once before when he made certain statements which were not put forward in that direct, right, or proper manner in which such statements ought to have been made and understood, in order to suit the exigencies of his European policy. I now ask the right hon. Gentleman, as the representative of Lord Salisbury, whether he can give a satisfactory reply to the question I have written out? As I have said, this question covers everything; but if the right hon. Gentleman is not prepared to give such an assurance as I have asked for and falls back on the sort of vague, ambiguous, and evasive statement he made last year—of course I mean no offence to the right hon. Baronet in saying this—I, and many others in this House will continue to believe that there is some secret alliance between the Prime Minister of England, Lord Salisbury, and the members of the Triple Alliance, and that that alliance is levelled, to a considerable extent, against France and Russia. I think it is more likely to be levelled against France than Russia, because although Lord Salisbury has a perfect mania with regard to the ambitious projects of Russia, he has, nevertheless, a special hatred against France, and has shown this hatred and grossly insulted that coun-

try by declining to take any part whatever in the Exhibition.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH), Strand, Westminster): In answer to the very extraordinary observations of the hon. Gentleman who has just spoken, I would say that there is not one atom of foundation for any of the fears or vaticinations in which the hon. Member has indulged, nor is there one atom of foundation for the views which he has attributed to Lord Salisbury or Her Majesty's Government with regard to France. The Government of this country are on terms of the most perfect friendship with the Republic of France, notwithstanding the efforts which have been made by hon. Members in this House and by other persons in the country to disturb those amicable relations. I have every reason to believe that the Government of France regard England as a Power on whom they may rely for the most friendly relations, and we have not the slightest apprehension that anything will arise to disturb these relations.

MR. W. M'ARTHUR (Cornwall, Mid, St. Austell): I have heard the statement just made by the right hon. Gentleman the First Lord of the Treasury, and I may say it is all very well for him to comment on the language of my hon. Friend the senior Member for Northampton in reference to the conduct of Her Majesty's Government towards the French Republic. The right hon. Gentleman speaks of the perfect amity which exists between the two countries; but Her Majesty's Government have so extraordinary a way of showing this that I am reminded of the couplet—

"It's all very well to dissemble your love,
But why did you kick me down stairs?"

I do not see why all the dispatches which have passed on this subject between England and Germany and England and Italy should not be produced. This House and the country have had a great deal too much of the old-fashioned system of Foreign Office diplomacy, which is still being conducted in the hugger-mugger method that has characterised it for so many years past. It is next to impossible for this House to form a reasonable judgment on any subject connected with foreign affairs, because every time any information is called for which might be of the least use to the House it is withheld until the country is irrevocably committed to engagements from which it cannot recede, and the judgment of the people, who, after all, are the masters of the Ministry, is reduced to a perfect farce, and the House of Commons to a perfect nullity. I consider that in this particular matter of the Triple Alliance the House of Commons has been kept without information with which it ought to have been furnished. The country has been kept in the dark as to the communications that have passed between Italy and England and France and England, and until the right hon. Gentleman can state that every possible information has been made public and can be judged in the light of day by this House and by the country generally we on this side of the House will always feel it our duty to resist these votes for the Foreign Office. I therefore beg to move the reduction of the Vote by £500 from the salary of the Ambassador to Italy, and I have to add that I shall take a Division on the question.

Motion made, and Question proposed, "That Item A, Salaries, &c., be reduced by £500, part of the Salary of the Ambassador to Italy."—(*Mr. William M'Arthur.*)

MR. BUCHANAN (Edinburgh, W.): I think that one, at least, of the statements of the hon. Gentleman the Member for St. Austell is justified. I do not believe that for some years *past* there has been a year during which communications on the subject of our relations with foreign Powers have been so scarce as has been the case during the past year. Indeed, I do not think there has been a single volume of Foreign Office correspondence put before the House with the exception of the one which relates to Samoa. I would remind the House that when we had a discussion on foreign affairs arising on the Queen's Speech the First Lord of the Treasury promised Papers on the subject of our relations with Germany in regard to East Africa, but when we pressed for them we were told that they could not be produced. And now, upon this most important subject of the re-

lations between Great Britain and the Great Powers of Europe we are absolutely denied any information whatever, the right hon. Baronet the Under Secretary for Foreign Affairs having told us nothing except that, in order that the Government might not commit themselves, he read to us a statement repeating the words he had used in February last. Since then there have undoubtedly been a great number of communications between our Government and the Governments of France, Italy, and Germany. Things have not stood still in regard to the relations between Italy and Germany, and, as is well known, there is a considerable feeling of uneasiness as to the policy of Her Majesty's Government with regard to the Triple Alliance. There is a feeling that we may have been committed to engagements on this subject without being made aware of the extent of our responsibility. I venture to think that it would be much wiser if Her Majesty's Government were to pursue a more open line of policy in foreign affairs towards the people of this country. They should recognise the fact that this House and the electorate of this country ought to be made aware of our relations with foreign Powers, and what engagements they are committed to. The English people are not at all averse to undertaking obligations such as it may be deemed necessary to undertake; but they view with apprehension the possibility that they may be committed to engagements, the extent of which they do not know, and which they may be called on at a very awkward moment to fulfil. I would most earnestly urge the Government to give us, if possible, some fuller information as to what are the actual relations of this country towards the Triple Alliance.

*MR. LEA (Derry, S.): The hon. Gentleman who has just sat down said there never has been a time when foreign affairs received so little attention in this House. That proves clearly that this House has perfect confidence in Her Majesty's Government with regard to the foreign relations of this country, and that confidence is reflected outside this House.

MR. MOLLOY: Looking at the statement made by the First Lord of the Treasury, I understand him to have said that there is no treaty and that we are not committed to any particular policy with regard to Italy or the Triple Alliance, and that, in point of fact, England is in no sense committed to any of the Powers of Europe. I do not think we could ask for more than this, and we certainly ought to feel bound to accept that statement; because I do not think the right hon. Gentleman would have used the plain language he did if he had believed the words conveyed a meaning that could not be comprehended by the Committee. I think that that statement was very fairly made, and as I am quite prepared to accept it, I have to say that under these circumstances, anxious as I always am to vote with my hon. Friend below me, I do not think I can vote with him on this occasion.

The Committee divided:—Ayes 61; Noes 118.—(Div. List, No. 315.)

Original Question again proposed.

*MR. CHANNING (Northampton, E.): I have to move the reduction of the Vote by £100, being part of the salary of the Ambassador to Turkey. I make this Motion in order to draw attention to recent events in Armenia, and to the policy of the Embassy at Constantinople as a vehicle of information in regard to the condition of the Christian population of Asia Minor, and as an instrument of English influence on the policy of the Porte in reference to these matters. The result of the previous Debate on this subject was that we were left in a Cimmerian darkness by the Under Secretary for Foreign Affairs. All that was then made manifest was that our policy at Constantinople was merely a policy of shutting our eyes and ears, and not even venturing to state our opinion with regard to what was going on in Turkey and Asia Minor, for fear that if we expose these outrages we shall be weakening the authority of the Turkish Government. The information we have obtained through the pressure brought to bear by my hon. Friend the Member for Aberdeen, as given in the Blue Book which has been laid on the Table, shows that the policy of the Government is faithfully carried out by Her Majesty's Representative at Constantinople—the policy of shutting the eyes to what is going on in those Eastern regions. The statements in the Blue Book confirm almost every

detail that was previously laid before the House. We have in the statements of Her Majesty's Consuls, which are now laid before Parliament, an accurate confirmation of the worst of these reports; and I would draw the attention of the Committee to the words of the right hon. Gentleman the Under Secretary for Foreign Affairs (Sir J. Fergusson) in the previous Debate, where he said that the Government was served in Asia Minor by officers well able to distinguish truth from falsehood. I think that if the right hon. Gentleman will examine the Reports of the various Consuls he will find that the Representatives of Her Majesty who are on the spot in these remote districts have spoken out most distinctly as to these outrages, and have made it clear that there is a fresh recrudescence of that spirit of Oriental barbarity which is too well known, while at Constantinople, on the contrary, where the surroundings of the Turkish capital are brought to bear on Her Majesty's Representative, and those attached to the Embassy, he will find on their part that policy with which we are too familiar, of shutting the eyes and closing the ears to things that are unpleasant and may be troublesome. There is a despatch in the Blue Book to which I should like to draw attention as typifying the action of Her Majesty's Representative at Constantinople in this matter. On page 55 of the Blue Book we find Sir W. White writing to the Prime Minister as follows:—

"Your Lordship is aware, from previous Reports of mine, that my action with His Imperial Majesty on Armenian subjects is greatly paralysed by the interpretation which evil-disposed persons are constantly giving to the interest or sympathy which Her Majesty's Government or this Embassy may happen to show at any time in the condition of that race."

The tone of that despatch, I contend, reflects the timid and time-serving spirit that has been too prevalent at Constantinople. It is true Her Majesty is served by good men in Asia Minor, but these good men, so far as we can judge from these Reports, are working under great difficulties in the outlying districts, and are not those under the influence of the Constantinople *régime*. In this Blue Book there are important passages which are calculated to rouse great indignation as to the treatment of the Nestorian Christians in the remote parts of Armenia. These people, who have retained a primitive Christianity, have been harried and subjected to the worst tyranny and exactions by the Turkish officials, many of whom are of Kurdish extraction, who have had command in the various districts in that neighbourhood, and they have recently gone through a period of suffering to which I am compelled to draw attention. Some 30 years ago, when the notorious Beder Khan was leader of the Kurdish tribes in that neighbourhood, these people suffered from one of the most atrocious massacres known to Turkish history, and on that occasion Lord Stratford de Redcliffe, who at that time exercised a real influence in Asiatic Turkey, interfered and got some sort of protection and peace for these poor people. But last year what happened? Why, the Kurdish tribes who surround these Nestorian Christians, who live in the pent-up valleys of this mountainous region, collected and threatened them with annihilation, and the beginning of the campaign which they set on foot was signalised by some of the most atrocious barbarities which, I venture to say, have ever been described in any Report ever laid on the Table of the House. Frightful outrages were committed upon numbers of women tending their flocks on the hill sides, and were followed by the massacre of many of the women, as we find it detailed in the Blue Book. Now, how was the general massacre of the Nestorian Christians, which was foreshadowed by this first attack of the Kurds, averted? Mr. Browne, an English clergyman who had been sent on this mission by the Archbishop of Canterbury, managed to send a messenger across the mountains to Consul General Abbott at Tabreez, and it was owing to the vigorous action taken by Consul Abbott, and to the promptitude also of Sir Henry Drummond Wolff at Teheran, that help was sent in time to prevent the complete annihilation of the Nestorians by the Kurds of that district. I think we must feel a deep sense of gratitude to the head of the English Church for the part he has taken in this matter. We have the action of Her

Majesty's Representatives supplemented in a singularly vigorous manner by that of the head of the English Church. We have the evidence of Mr. Browne, substantiated by independent witnesses like Mr. Athelstan Riley and Dr. Cholmondeley, who have several times visited these Nestorians as to these outrages. How have we been met on the opposite side by the Turks in the matter? Why, the Turkish view was put forward by the Turkish Ambassador, and is given on page 35 of the Blue Book. The Turkish Ambassador represents the attitude adopted at Constantinople, which was, apparently, too easily acquiesced in by Her Majesty's Representative in that city. The Turkish Ambassador wholly denied the facts thus established by independent evidence which would convince any Court of Justice in this country, and actually went so far as to say that Mr. Browne was the plague of the neighbourhood, and should be removed, and that no one desired his absence more than the Patriarch of the Nestorian Church—Mar Shimoon. This view was enforced on Her Majesty's Government through the Turkish Ambassador; but what I have to complain of, further, is that we have in this instance, as we have in a great many others in connection with these matters, the familiar kind of memoranda got up by English officials who are under the Constantinople influence, and who seem, as I have said, to have eyes and ears open only to statements which tell in favour of the Turkish Government—I refer to the memoranda of Colonel Trotter and Colonel Bell. These memoranda show the willingness of Her Majesty's Representatives in Turkey to accept whatever representation the Turkish Government puts within their view, and which may serve to cast doubt or throw cold water on the evidence of people on the spot, who tell us of atrocities such as those perpetrated on the Nestorians. I denounce this policy on the part of Her Majesty's Ambassador at Constantinople as reflecting no credit upon the good sense of those who carry it out, or upon the honour of this country. I have referred in detail to this matter because of a passage in one of the despatches of Sir W. White. Speaking of these atrocities on the Nestorian Christians, he says they may break out again during the present year; and I would like to ask Her Majesty's Government whether they have any later information as to the position of these Nestorian Christians than that of which the House is in possession? And now I would refer to the horrible atrocities with which we have been familiarised during the last two months, which have occurred in Armenia proper, chiefly in the District of Van, and which are connected, mainly, with the notorious Kurdish Chief Moussa Bey. What has been the action of Her Majesty's Representatives and the Turkish Authorities in this matter? The subject was touched on in this House and another place by the representatives of the Foreign Office with much hesitation and uncertainty of tone. The alleged atrocities with which Moussa Bey is specially connected were indignantly denied by the Turkish Ambassador, and there has been far too much disposition to accept or not to challenge those denials. What has been the policy of Her Majesty's Representative at Constantinople? That policy is shown clearly by a typical passage in the Blue Book, in a despatch of Lord Salisbury to Sir W. White, on page 57, in which the statement of the Turkish Ambassador is quoted to the effect that—

"There were occasionally Kurdish raids, but they were repressed, and large bodies of police were employed to maintain order. The Porte selected the best officers at its disposal for the Armenian Provinces, and his Excellency maintained that the improvement there, as well as in the other Provinces of the Empire, was very remarkable."

And I wish to draw special attention to the reply of the right hon. Gentleman, which is also given in the despatch:—

"Sir James Fergusson observed, in reply, that Her Majesty's Government had, as his Excellency knows, abstained from pressing the Porte on the subject in spite of the reports which had reached them, that the Armenians were suffering from considerable hardships, for they knew the difficulties with which the Porte had to contend."

That is my complaint, that Her Majesty's Government will not use such powers as they have for fear of embarrassing the Porte, though they well know from the Reports of their Consuls that these atrocities are taking place. Then in the Blue Book there is a state-

ment by the Sultan to Sir W. White, in which he says that these atrocities are carried out by nomad Kurds from the Persian Frontier, who raid into Armenia and then escape from Turkish jurisdiction, so that nothing can be done. And he adds, characteristically, that the atrocities which were attributed to Moussa Bey were so repugnant to the customs and habits of Mahommedans that he refused to credit them. That statement, which was transmitted to us by Sir W. White, was echoed without comment by the Prime Minister in another place, when he spoke about the atrocities being carried out by Kurds who come across the frontier into Armenia. This statement was absolutely denied by the Persian Ambassador, Malcom Khan, and is wholly disproved by the Reports of Her Majesty's Consuls on the spot. The scene of these outrages was the district between Bitlis and Moush, at a distance, I am told, of not less than 250 kilometres from the Persian Frontier. The whole history of this ruffian, Moussa Bey, is given by Mr. Devey, Her Majesty's Vice Consul at Van, of whom Colonel Chermside speaks in the highest terms—who has been four years in the neighbourhood of Erzeroum, who has made himself thoroughly acquainted with the neighbourhood, and whose Reports give with an exactness—almost photographic—the details of these atrocities. He establishes absolutely the whole of the worst facts alleged against Moussa Bey—his long career of violence and crime which has led to the present state of things. The Committee must bear in mind that these Kurdish Chiefs are living in the centre of Turkish Armenia, and form part of the local powers of the district. Mr. Devey shows that Moussa Bey was not a nomad at all, but was the ruler over five villages in the district of Khuit, in the plain of Moush, near Bitlis, and had an armed force of nearly 1,000 men at his disposal. This man has been able to make atrocious attacks on missionaries, to perpetrate outrages on women, to burn villages, and to murder men and women for years past; in fact, it is clear that he has been the scourge of this fruitful plain. And there has been no redress. The Turkish Authorities have been petitioned to intefere, but Moussa Bey is hand and glove with all the Powers of Bitlis, and they have constantly laughed at the orders to arrest him. Repeated complaints have been made to Constantinople, but these complaints are not infrequently disastrous to those who make them. One of the Christians who took an active part in these petitions, Ohannes, the head man of a village in the plain of Moush, was waylaid and put to death by Moussa Bey's men under circumstances of the most revolting barbarity. Anyone who reads the evidence given in the Blue Book will see that the descriptions of the way this man was burnt to death are only varied in matters of detail in a manner quite natural, seeing that they come from various sources. We see how this man is regarded in Turkey. Instead of being brought to justice, he was nominally arrested by the Local Authorities. He at once escaped, and actually threatened the Local Authorities that he should come down on them and exact the restitution of the bribes he had given them for ignoring the atrocities. He is received with honour in his own neighbourhood, and escorted by his friends to Constantinople, where he is received by Bahri Pasha, who holds high office at Constantinople and is a relative of Moussa. He has every guarantee that the Sultan absolutely disbelieves beforehand in any of the crimes charged against him. Finally, we have in the Turkish *Pro-Memoria*, forwarded by Sir William White to Her Majesty's Government, the very climax of outrageous and transparent mis-statement, amounting to a simple drawing of the pen through notorious facts, and stating that the Bey is an angel who is very much injured and wishes to have the charges inquired into. Consul Devey says in his Memorandum, on page 73, that the Porte has to rely only on the Reports sent to him by his own *employés*, and he especially comments on the invariably unsatisfactory nature of those Reports. He also draws attention to another phase of the question. It is not merely a question of these outrages, but one of deliberate political persecution which is being carried on by the Turkish Authorities in Armenia. He refers to the persecution, the arrest, and the banishment of many people for suspicions which they incurred many

years back, and says that even persons who have combined to provide funds for the sick and children left orphans after the war between Turkey and Russia, have been arrested and sent into exile. The Armenians are treated as rebels and disorderly people, and the charges made against them are bolstered with such absurd reports as that of the Armenian brigands referred to the other night by the hon. Member for St. Pancras. Those young Armenians were undoubtedly patriots, and the papers on them showed their patriotic instincts. It is perfectly ridiculous to say that they were brigands and plunderers. The present Vali of Van, Halil Pasha, is described by Consul Devey as a suspicious tyrant who is carrying out the most effective policy for producing disorder in Armenia. Consul Devey says that in the neighbourhood of Bitlis, which he knows most familiarly, there is really no disaffection on the part of the Armenian population. He states that the Kurdish persecution is as bad as ever, that the sufferings of the people are really pitiable, and that if they are not looked on with suspicion by the Government, the utter contempt with which they are treated must be severely felt. He adds that the "Kurdish Sheiks ever hold that the Vilaget is under exception, and that the laws in force elsewhere do not apply." The Armenians have great reason to complain also of the land laws, under which they have been deprived of their land, owing to defects in their title, and have had it sold to Circassians and Kurds. They have also to complain of judicial and fiscal corruption and tyranny and of the practical enslavement of many of them, especially young Armenian women, who are captured and carried off by Kurdish Chiefs. Now, what I wish to know is whether we cannot make some use of our Representatives in Asia Minor and in Turkey to mitigate and bring to an end this state of things? In the first place, can we not have an end of this policy of accepting and palliating these false statements; can we not have a franker and a fairer denunciation of crime when it is clearly brought before the knowledge of Her Majesty's Representatives? I should like also to ask whether we cannot use our influence to induce the Turkish Government to send into Armenia, as Consul Devey suggests, stronger and more just and wiser men. As it is now, the Turks, instead of sending good men into Armenia, send the worst, as a disgrace. The other day it was stated that some of these evils were to be mitigated, because a new Pasha was to be sent to Bitlis. I hold in my hand a passage from a French paper, *Le Temps*, in which it is said—

> "Raouf Pasha, who has only been three months Vali of Beyrout, has, owing to frequent complaints of the foreign Consuls against his proceedings, and probably also because of the frequent murders of Christians and Mussulmen which he has been unable to control, has been transferred to Bitlis, which is equivalent to disgrace."

But we have a further line to take up. I venture to declare that there is a distinct obligation on the part of this country under existing treaties to exercise such form of protection as lies within our reach over these miserable Christian populations. That is a point which, I think, has been unfairly dealt with by the Prime Minister in another place. His argument has been that England would have to do this alone, and to do it with force at our back, a course which he knows the English people are not willing to sanction. The Treaty of Berlin contemplates not a warlike intervention in the affairs of Turkey, but a peaceful supervision of the Signatory Powers over the carrying out of the reforms in the Turkish dominions. I venture to say we have a right, on behalf of the suffering people of Asia Minor, to press upon her Majesty's Government the real meaning of the Treaty of Berlin. Are we to go on shutting our eyes to the outrages and miseries these unhappy people suffer, shutting our eyes to the fact that these things are attributable to the policy of the Power whose influence we wish to maintain? This is not a matter of sentiment; it is a matter of policy. In Armenia you have a people not altogether in sympathy with Russia. Russia has behaved unwisely and unjustly in her dealings with the people of Armenia and in relation to their religious institutions, and it is perfectly possible by the joint action of the Powers, under the influence of England, to create such a state of things that you would have in Armenia a buffer and a bulwark against Russian advance

in the direction of Van and Erzeroum. We should insist that the Governors of these two Provinces should be Armenians and Christians, for there the Christians are in a large majority in the population. I do not wish to detain the Committee at further length. I will only add that if a Conference of the Powers would press this reform, and the institution of an armed Constabulary Force in Armenia, with English or other European officers, these two reforms alone would, if carried out, do immense good in Armenia. I must apologise for the time of the Committee I have occupied. I have endeavoured to put the question forward to the best of my ability, and I trust this discussion may result not in bringing about, as some misguided people have said, conflict between Christian and Moslem inhabitants in Armenia, but in making it clear that English opinion is alive to the necessity of a just policy in Armenia and of strengthening English influence in Constantinople, bringing back the days when Lord Stratford de Redcliffe really did produce some good by the representations he made to the Porte.

Motion made, and Question proposed, "That Item A, Salaries, &c., be reduced by £100, part of the Salary of the Ambassador to Turkey."—(*Mr. Channing.*)

*MR. SAMUEL SMITH (Flintshire): I rise to support the Motion of my hon. Friend and to express my entire concurrence in the views he has so clearly put before the Committee. I think the attention of the House should be specially called to the Correspondence on the affairs of Asiatic Turkey which has been laid on the Table within the last few days—this account of what I may call the Armenian atrocities. Not since the days of the Bulgarian atrocities have we been presented with accounts of more horrible misgovernment and cruelty, and if Members had had the time to read through this Correspondence, I am sure that the feelings of indignation aroused would have found vent in a very warm discussion indeed. But such has been the preoccupation of the minds of Members with other matters in the last few days that few have had time to master this Correspondence. Never, I say, since the time of the Bulgarian atrocities have I read accounts of more shocking misgovernment and greater cruelty perpetrated upon a helpless Christian population. We could have nothing more fitted to arouse the feelings of the country, and I believe if the people at large come fully to understand the conditions under which the Armenians live and the dreadful cruelties to which they are exposed at the hands of the Mussulmans, we shall see such a feeling excited that it will be necessary for the Government to take up a stronger attitude on this matter than they have hitherto done. Now, the point especially brought out in these Papers is not only the fact that the Christian population have suffered abominable treatment, but that this treatment has been connived at by the Turkish Governors. This cannot be denied or ignored, the evidence of independent travellers fully confirms the very worst accounts we have in these papers. No person who reads through these papers can doubt that had it not been for the presence of an English clergymen, the Rev. W. H. Browne, there would have been a massacre of Christians greater than any that took place during the Bulgarian atrocities period. The evidence is undoubted that there was a conspiracy among the Kurdish Tribes, the most turbulent of the Turkish subjects to extirpate the whole Christian population of Tiari, consisting of many thousand persons. But for the fact of the Rev. Mr. Browne living in the district, and being able at personal risk to bring pressure to bear at Constantinople, and from Constantinople on the Kurds, we in this country should have heard some fine morning that 10,000 or 20,000 Armenians had been massacred in cold blood. This statement rests on undoubted testimony. My hon. Friend has referred to two English travellers who were passing through the district, and who have supplied authoritative accounts of what was taking place. I will ask the Committee to listen while I give one or two quotations from a report sent by one of these gentlemen, Mr. A. Riley, to the Prime Minister. Writing his memorandum in London on December 1st, he in the course of it says:—

"This summer the sheep of Astritha, the largest village of Tiari, were being fed in a 'zoma,' or mountain pasture outside Tiari, in charge of between 200 and 300 women and girls and two men."

Mr. Riley explains that the Ashirets or tribal Assyrians have such a small area of land available for cultivation in their valleys that they are obliged to pasture their flocks outside the valleys—

"On July 31st the encampment was suddenly surrounded by a large body of Kurds, the two men were killed, all the women and girls violated, five were killed, one pregnant woman being ripped open, the child protruded, and one slowly put to death by 25 dagger wounds (I saw the husband of this woman, Rais Yakhanis), four others wounded, and the rest stripped entirely naked, and left in that state to make their way back to Ashitha. So terrible an outrage has not occurred since the massacres of Bedr Khan Beg in 1843. The object of the outrage was clearly to draw on the Tiari Tribe to attack the Kurds, and this happened; the men of Tiari prepared to avenge the honour of their women."

Mr. Riley goes on to describe how the Kurds assembled in overwhelming numbers, evidently prepared for a massacre of the whole Christian population, and the Turkish Authorities did not interfere until the energetic efforts of Mr. Browne induced them to send troops, and the Kurds dispersed. I might quote a number of statements of the atrocious outrages perpetrated on these Armenian Christians. Mr. Browne, since he took up his residence at Kochannes as the guest of the Armenian Patriarch, has been subjected to every species of annoyance by the Turkish Authorities in the hope of driving him out of the country, and but for his presence there is little doubt the Kurds would have extirpated the Armenian people in that part of Asia Minor. In consequence of his representations the Turkish Government were unwillingly forced to send troops into the district, but I am sorry to state that there is the clearest evidence in the despatches to show that the outrages are again reviving against the Christians, of women being carried off, of the burning alive of old men, the destruction of villages, and the stealing of sheep, and, in fact, the Armenian Christians are subjected to treatment under which life is hardly worth living. A person who has largely figured in connection with these proceedings is Moussa Bey, who appears to me to be a kind of Chefket Pasha of Bulgarian atrocity fame. The correspondence is full of accounts of the abominations committed by this man; and yet after many years of this kind of work he visited Constantinople and was treated with honour by the Authorities, notwithstanding that Her Majesty's Government had sent to the Turkish Government full proof of the complicity of Moussa Bey in the atrocities. I complain that the Government have not taken a sufficiently earnest stand in this matter. I do not say that they lack sympathy, no British Government could fail to sympathise with an oppressed people like these Armenians. I freely admit they have done something, indeed they have done a good deal to help these poor people, but I do complain of a want of firmness in their representations to the Turkish Government; they are a great deal too feeble; they are too considerate to the feelings of those scoundrels in Constantinople who connive at these outrages. They have not used language that will make an impression on the Porte, not the language that gave Lord Stratford de Redcliffe such an influence in Turkish affairs. Everybody knows that the Turkish Government are only amenable to the strongest representations, amounting almost to threats. Let me read to the Committee a line or two from Lord Salisbury's despatch to Rustem Pasha, written, be it remembered, after the receipt of Mr. Riley's Report on the atrocious outrages committed by the Kurds on the Nestorians, to which I have alluded, and I ask, is it language sufficiently strong to make any impression upon the Porte. The concluding paragraph of Lord Salisbury's Despatch was thus:—"Under these circumstances I cannot help thinking that your Government has been misinformed"—remember Rustem Pasha, the Turkish Ambassador, had been instructed to deny the ill-treatment and the danger, undoubted facts corroborated by undoubted witnesses—

"I shall be happy—continues Lord Salisbury—to obtain a further Report from our Consular Officers in the neighbourhood of the spot, but I do not feel that I should be justified, in the present state of my information, in further pressing upon the Archbishop of Canterbury the wish of the Porte, that Mr. Browne should withdraw from Kochannes."

Well, I hardly think Lord Salisbury could press the withdrawal of the man whose presence alone prevented the consummation of an atrocious massacre, that I think is the least Lord Salisbury could do. But surely this is feeble to a degree and not the sort of language to make any impression upon the Porte; something much more decided is required to secure the fulfilment of the duties the Turkish Government undertook towards their Christian subjects? This country, above all others, has undertaken engagements towards the Christian population of Turkey. It is in the recollection of the Committee that not many years ago this country gave a guarantee to Turkey for her Asiatic possessions against all foreign Powers on condition that she should carry out her engagements to protect her Christian subjects; most of us thought it was a wild obligation to undertake, but we did guarantee the Turkish possessions in Asia Minor on condition that certain specified reforms were carried out. Has Turkey carried out one of those promised reforms? Has she even begun to do so? He would be a bold man who would assert that she has, or that the Government of Asiatic Turkey is better now than it always has been—that is to say, the most abominable Government there can well be. One of the stipulations of the Treaty of Berlin was that the rights of these unfortunate people should be duly guarded. But the Powers of Europe have taken no pains whatever to enforce the observance of that portion of the Treaty. Surely it is the part of this country to take the lead. Turkey has been saved from extinction by this country; and we ought to call upon the Powers to undertake these solemn obligations. I hope the House will insist upon laying the case of this oppressed nationality before the Signatory Powers. We have to deal with a Government amendable to no moral influence or advice, nothing but threats, nothing but bringing home to them the sense of indignation aroused in this country will induce the Turkish Government to adopt a policy for carrying out the fulfilment of the solemn obligations they undertook towards their Christian subjects. Whatever view Her Majesty's Government take, nothing but good can come of the declaration in the face of the world that the British people cannot regard with indifference these atrocities recorded in this correspondence. Long has this House been the Court of Appeal for all oppressed nationalities, and when this House speaks in a decided tone its influence is felt all over the world. I trust we shall not be lukewarm in fulfilling the obligations we incurred in the Treaty of Berlin, and that we shall make our voice heard on behalf of these downtrodden Christians of Asiatic Turkey. Their sufferings appeal to the feelings of every humane man; they are fellow Christians, they belong to one of the oldest Christian Churches that has stood firm through persecution and trial for seventeen centuries, and surely it is our duty as a powerful Christian people to use our influence on behalf of fellow Christians suffering terrible grinding oppression. I hope the Government will give assurances that stronger action shall be taken than has been taken hitherto.

*SIR ROBERT FOWLER: I hope that the eloquent speeches to which we have just listened will produce a good effect throughout the world. At the same time, let me point out that the proposition before the House is of a very unsatisfactory character. What good can be done by making a small reduction in the salary of our able and experienced Ambassador, Sir William White? It ought to be remembered that our position at Constantinople is not what it was in the days of Lord Stratford de Redcliffe. In the earlier part of that distinguished man's tenure of office it was known that England was prepared to go to war on behalf of Turkey; and, in fact, we spared neither blood nor treasure in the Crimean War. Are we prepared to do that now? I have no right to speak for hon. Gentlemen opposite, but I very much doubt if any of them would advocate going to war if the Turkish Empire were threatened. The Turks have a feeling that we should do nothing of the sort. It is, therefore, impossible that the illustrious man who now represents this country at Constantinople should assume the *rôle* of Lord Stratford de Redcliffe. I fully sympathise with the reprobation expressed by the hon. Gentleman opposite at the horrors which are being perpetrated against the Christian sub-

jects of Turkey. But what can be done? Fault has been found with Lord Salisbury's despatch. For my part I think that despatch is a strong one; and it must not be forgotten that a despatch is widely different from a speech in Parliament by a private Member, or even by a Member of the Government. A Secretary of State in Downing Street must in writing a despatch to a friendly Power adopt measured language, and it seems to me there is no want of decision in this despatch couched as it is in a diplomatic tone. I wish to express my full sympathy with the views put forward by the hon. Members opposite. We must all join in reprobation of the horrors committed, and regret that these occurrences are not regarded at Constantinople as we view them. But what we have to ask ourselves is this—If this country is not prepared to go to war on behalf of Turkey, which seems to be the idea of the Turks, how can we hope to have such an influence at Constantinople as we had 40 years ago? As regards Sir William White, he is an eminent servant of the Queen and the country, and we must all feel it is of great advantage to have such a man in his position. Though I have sympathy with the principles enunciated by the two hon. Members opposite, I am unable to express it by voting for a reduction of the salary of this most distinguished man. Still, I hope that the burning words in which those hon. Members have expressed their sentiments as to these atrocities will have a good effect. The proceedings in this House are reported through the papers in different parts of Europe, and I hope this Debate will teach those who are responsible for the Government of Armenia that the feeling of the people of this country is strongly opposed to the barbarities which we have heard described.

MR. J. W. LOWTHER (Cumberland, Penrith): As I am one of the very few in the House who have read through the Blue Book, I feel I must say a word or two as to the remarks which have fallen from the two hon. Members opposite. They have depicted the quarrel between the Nestorians and the Kurds as if it were entirely the fault of the Kurdish population, and the Nestorians were not in any way to blame. Of course, our fullest sympathy must be extended to the Nestorians in the troubles they have suffered, but after reading the Blue Book very carefully, the impression left on my mind is that the country is a very wild one, that the whole state of civilisation in that part of the world is very backward, and that there seems to be a sort of vendetta existing between the Nestorians and the Kurds. The Nestorians, far from being the lambs the two hon. Gentlemen opposite have depicted them, seem to be rather a turbulent race. They refuse to pay any taxes, constantly engage in tribal warfare, and appear to be often plotting against the Government of Turkey. This view cannot but present itself to anybody who has studied the Blue Book carefully, including the report of Colonel Chermside. On page 71, Colonel Chermside says there is no doubt there has been a considerable amount of revolutionary work going on, and that there is a tendency to form secret societies. It is plain that the Nestorian population are constantly plotting against the Turkish Government—at all events, that is the idea the Turkish Government have derived from some of the proceedings which have become public, and I must say that the Turkish Government seem to have treated the Armenians with very much less severity than would have been meted out to them by the Russian Government. I must protest against one sentence used by the hon. Member for Flintshire, in which he said that these proceedings in Armenia were connived at by the Turkish Government. I do not find in the Blue Book one syllable to support that contention. I would guard myself by saying that I deplore the terrible sufferings which these people have gone through; but it is only fair to point out that they themselves are not altogether blameless.

MR. LABOUCHERE: I am not quite able to support my hon. Friend the Member for Northamptonshire. I have no doubt that a great many atrocities are committed—I dare say there are atrocities committed on both sides, and that the Armenians get the worst of it. I will even assume, for the purpose of argument, that the atrocities are committed by the Turks upon the Armenians, and that the Ar-

menians are the best and purest of human beings; still I cannot but ask myself, "What earthly business is it of ours?" I protest against the doctrine that we are to roam all over the world redressing grievances and establishing good government. I am constantly reading about riots being put down in the most atrocious fashion in China, and yet I never hear it proposed that we should go to China and interfere in the matter. Mr. Courtney, surely you will agree with me that there are atrocities requiring remedy far nearer home than Armenia. There are Pashas called Resident Magistrates, and an unfortunate race, composed of fellow-citizens, whose position may not unreasonably be compared with that of the Armenians. How can we call upon the Turk to take the beam out of his eye when we leave the mote in our own? But I have a special reason why we should not interfere in this case. The hon. Member for Northamptonshire says the English people are in favour of a just policy being carried out in Armenia. Well, I am in favour of a just policy everywhere; but I am not willing that a farthing of English money should be spent, or a drop of English blood shed, for the purpose of establishing the best of governments for the Armenians.

*MR. CHANNING: My suggestion was that this country should carry out the principle of the Treaty of Berlin—namely, induce the Powers of Europe jointly to insist upon the carrying out of reforms in the Turkish Provinces.

MR. LABOUCHERE: I generally find that when the Powers of Europe combine to interfere in the internal affairs of a particular country, they end by falling out and fighting with each other, and the last state of the unfortunate people in whom they have interested themselves is worse than the first. With regard to the Treaty of Berlin, it must be borne in mind that we entered into a special agreement when we took Cyprus. We took Cyprus, and obtained an assurance that there would be good government in Asia Minor, and, as a *quid pro quo*, we guaranteed to the Turks the possession of Asia Minor. It is nonsense to hope for good government in Asia Minor, whilst we maintain the Turkish supremacy in that part of the world. You might just as well look for good government in Ireland under the Resident Magistrates. We have spent hundreds of millions in maintaining the power of the Sultan; and now we are asked to interfere in Armenia, because of the right we have acquired through our guarantee to Turkey. I regret that these unfortunate Armenians are ill-treated, but I think they are likely to continue to be so long as they are under the dominion of Turkey. My panacea for all this would be to leave the Turks absolutely alone, and make it clear to them that if there is a revolution Great Britain will hope for its success; and that if any nation—Russia, or anyone else—less barbarous than the Turks interferes on behalf of the Christians the sympathy of this country will be with it. I object to our putting our hands into our pockets on behalf of these races, and to our meddling and muddling in that part of the world in the future as we have done in the past.

*SIR J. FERGUSSON: I am not surprised that the Papers which have been presented to Parliament, and which have been in the hands of Members two or three days, have moved those who take an interest in the Christian populations of the East to comment on the sad history which those Papers contain. In this country there has always been, as has been said to-night, great sympathy for suffering populations. There are records in the Papers lately placed before Parliament of such a character as to evoke deep commiseration with some of the people in Armenia, who are placed in circumstances so different to our own or to those of any people over whom we exercise protection—whose families are subjected to danger and outrage, and whose existences are so embittered by persecution that it may be said that life, under the circumstances, is not worth having. These are feelings which must be widely shared. But when hon. Members, after contemplating the sad condition of some of the Turkish Provinces, come to the remedies which they would have this country attempt, their conclusions are somewhat hastily drawn, and the course on which they would impel the Government is very rash. Perhaps it is not worth while to question the verbal accuracy of some of the statements made

by the hon. Members for Flintshire and Northamptonshire; but I would point out that in the reference made by the hon. Member for Northamptonshire to a speech of the Prime Minister, the hon. Member reported Lord Salisbury to have given absolute denials to certain statements concerning the ill-treatment of Armenians, whereas Lord Salisbury distinctly quoted the Turkish Ambassador as his authority, and in no way gave the denials on his own responsibility. Again, even in the despatch which the hon. Member for Flintshire quoted, and in which, as he said, the Prime Minister used words very inadequate to the occasion, Lord Salisbury declined, as then informed, to accept absolutely the disclaimers of the Turkish Ambassador as to some of the painful events alleged to have occurred. As has been said, diplomatic language is necessarily somewhat more guarded than that which hon. Members think themselves justified in using in the House; and it is manifest that if the language of those who are not charged with the affairs of the country were employed in diplomacy the influence of Great Britain with Foreign Powers and Ministers would be greatly diminished. Undoubtedly, as the Member for the City has said, the influence of Great Britain at Constantinople is not such as it was in the days of Lord Stratford de Redcliffe. It is not to be wondered at that when this country has stood by without helping Turkey in the time of her greatest need, in 1877 and 1878, her influence should be somewhat weaker in Constantinople than it was immediately after the Crimean War. In making this remark I do not, of course, intend to comment unfavourably on the Government of 1878; but it cannot surprise any one that we do not possess that commanding influence in Turkey which we possessed in the days of Lord Stratford de Redcliffe. But, nevertheless, I utterly deny that Her Majesty's Government and its Representatives at Constantinople have not done all they could to bring to the notice of the Turkish Authorities the occurrences which have given so much pain to humane people all over the world; and that they have not used the language which is best calculated to give effect to this country's influence. Of course, those who take an extreme view of the matter think that British influence ought to be used in a very strong and startling manner, and the hon. Member for Northamptonshire has declared that the whole Armenian population in one district would have been massacred but for the resolute attitude of a British clergyman. All honour to him.

*MR. CHANNING: No; I spoke of Consul Abbott.

*SIR J. FERGUSSON: I thought it was the Reverend Mr. Browne. I am glad the Consul's conduct has the approbation of the hon. Member; but I think it is perhaps too much to say that the efforts of any Englishman, however firm and resolute he may have been, can have preserved a whole district from massacre. The fact is that hon. Members are apt to make two great mistakes in considering this subject. They are apt to view these Eastern countries, peopled by different races, holding different religions, and bearing hereditary hostilities and hatreds, in the same light as they do their own country, or those Eastern countries which Great Britain has long administered. And, again, they think that Great Britain has only to express her wishes to have them obeyed. These are two extreme errors. Any one acquainted with the conditions obtaining in Eastern countries which are not under a thoroughly civilised Government must know that there is a great absence of that settled law and order which enables persons of different religions and races to live together in peace and harmony. Hon. Members forget that the majority is apt to oppress the minority in these countries. When the Government of a country is irresolute, factions break out and occurrences take place which are deplored by all who compassionate the sufferings of others. In Armenia the Mussulmans are the stronger, but in Crete it is the other way, and the late disturbances certainly commenced by the Christians quarrelling among themselves and then turning their attentions to the

Mussulmans. The feebleness of the Government of Turkey is not altogether her fault. She has had jealous neighbours, and she has been placed by external differences in a position little calculated to enable her to exercise control over her troublesome subjects. The hon. Member for Northamptonshire has said that I have stated that the Porte was sending more vigorous and capable officers to administer her Provinces. Raoul Pasha, the late Vali of Jerusalem, has, I believe, been sent to Bitlis, and he is an officer known to be honest, firm, and capable. And that, like the appointment in Crete, justifies the statement I made to the House that the Government of Turkey are endeavouring to send capable officers to establish greater confidence and to put down the disgraceful scenes that have occurred—which have occurred as much from the weakness of the central Power as from the hereditary hatreds of some portion of the population. I do not believe that the Government of the Sultan looks on these occurrences with indifference, and when it is said that the person who is regarded as most guilty—namely, Moussa Bey—has been received with every honour at Constantinople, hon. Members must not take for granted all they see in the newspapers. Moussa Bey went voluntarily to Constantinople, and will submit his conduct to a competent tribunal, and all persons who have complaints to make against him will have every opportunity of stating their grievances. Moussa Bey lives in a very different region from ours, and his actions must be regarded in the light of his surroundings. At the same time, if he is guilty of the crimes of which he is accused, we hope he will be brought to condign punishment. The Ottoman Government has declared that all persons who have complaints to make against him shall be safely passed to and from Constantinople. I hope the remarks of my hon. Friend the Member for the City of London, as well as the observations I have been able to make in the few minutes at my disposal, have shown the Committee that the Government has not been supine, but that, on the contrary, they have done that which, according to their judgment and responsibility, is most likely to afford relief to a suffering population and to protect them from cruelty. I trust the Committee will not agree to a reduction of the Vote.

DR. CLARK: I beg to move to report Progress, with a view to getting from the Government some idea of what they intend to do to-morrow (Saturday). Are we to take this Vote again to-morrow, or is it to be postponed for 10 days till after the Irish and the other Estimates? It seems to me a good method of wasting time to jump about from one set of Estimates to another. I think the right hon. Gentleman the Leader of the House should take the Votes in their order on the Paper, instead of taking them in this higgledy-piggledy fashion. The right hon. Gentleman should not give way to every hon. Member who urges him to postpone business, but should go on with the business as it is set down on the Paper. I hope we shall be able to finish this Vote to-morrow. I should prefer that we should go on with Class V.; but the right hon. Gentleman was pressed at 5 o'clock this evening not to do that, and he consented to postpone the Class, so that, now, goodness knows when it will come on.

*MR. W. H. SMITH: I hope the hon. Member will not move to report Progress. He is as well aware as other hon. Gentlemen that I am under an engagement with the House not to take Class V. to-morrow. I would venture to suggest that the present Vote might be taken after the three hours' discussion we have had. I trust the hon. Gentleman will allow the Vote to be taken. Any question that hon. Members may desire to raise in connection with it can be taken on Report.

SIR G. CAMPBELL: There are some most important questions still to be raised on the Vote.

THE CHAIRMAN: Order, order! There is a Motion before the Committee, which must be withdrawn, before discussion can take place upon other questions.

*MR. CHANNING: I withdraw the Motion.

Motion, by leave, withdrawn.

Original Question again proposed.

SIR G. CAMPBELL: I hope the Government will consent to report Progress now. I move it. The Government is pledged not to go on with Class V.; but it seems to me it would lead to much greater difficulty to take Classes for which hon. Members are not prepared.

*MR. W. H. SMITH: Before the Motion is put I desire to appeal to the Committee as to whether it is not better to take the Vote and then to discuss any question that may arise on Report?

DR. CLARK again rose to speak.

It being Midnight, the Chairman left the Chair to make his Report to the House.

Resolutions to be reported to-morrow.

SUPPLY—CIVIL SERVICE ESTIMATES.

Resolutions [15th August] reported.

CLASS IV.

First four Resolutions (see pages 1362, 1382, and 1385), agreed to.

Fifth Resolution (see page 1400) read a second time.

Motion made, and Question proposed, "That this House doth agree with the Committee in the said Resolution."

MR. SEXTON: A discussion arose upon this Vote in Committee, and it was arranged that the hon. Baronet the Member for Cambridge University (Sir G. Stokes), who is a Trustee of the Museum, and others should make inquiry upon certain points raised, and that information should be given to the House at this stage. The House is aware that the files of certain newspapers, the property of the British Museum, were transferred from the Museum to the Royal Courts of Justice, and remained there for a considerable part of the year in the custody of the solicitor for the *Times* under circumstances inconvenient, and, we think, unfair to the other parties in the case. We have asked to whom the subpœna was addressed, and upon whom was it served, and what documents were specified in the subpœna to be produced in Court. Another important question raised in Committee concerned the conditions of employment of certain gentlemen in the office of the British Museum. We understand that Mr. Birch was one of the gentlemen who accepted employment from the *Times;* we are informed there was another, and we desire to know his name. We want to know whether these gentlemen are bound to devote their time to the service of the British Museum, or whether they are at liberty to accept engagements from other persons, engagements for which they receive considerable remuneration, engagements which involve large demands upon their time; are they at liberty to accept such engagements, and receive such remuneration without any deduction from their salaries? It must be obvious that in this case these gentlemen, having pledged themselves to a certain view of certain letters, and having undertaken to give evidence, were bound to appear in Court, and to submit themselves to considerable examination, and to very prolonged cross-examination. This would have involved their absence during office hours. We should like the hon. Baronet's view upon such a set of circumstances. There is one other observation I wish to make. The Solicitor General for England stated last night that these gentlemen acted in no partisan spirit; but since yesterday I have had an opportunity of conferring with my hon. Friend the Member for Cork (Mr. Parnell), who informs me that before Mr. Birch received any retainer from the *Times'* application was made to him on behalf of the hon. Member for Cork, but he declined the proposed engagement, and subsequently accepted that of the *Times*. That does not look like acting with impartiality. I am obliged to say, and I say it with some regret, that we Irish Members have, in this keen ordeal, this bitter and unmerited trial, which has been forced upon us by our political enemies, experienced from these officials the same spirit of partisanship, hostile to ourselves and our country, which we have had to encounter all through, because of the social forces of the great

conspiracy against us; that spirit of partisanship has been experienced from quarters where, at least, a decent show of impartiality might have been expected.

MR. JACKSON: Perhaps the hon. Gentleman will allow me to answer some of the questions about which I undertook, when the Vote was before the Committee last night, to get some information. I will not go into the matters which the hon. Member has now raised, because I am not prepared with the information that will be necessary to give an answer. I understand the hon. Member to say that an application was made to the British Museum officials for their services on behalf of the hon. Member for Cork. I thought that the hon. Gentleman objected to this work being done at all by the officials of the British Museum. However, I will endeavour to answer the questions which were put to me last night. Perhaps I ought to say in the first place that there has been some misapprehension and unnecessary alarm as to what has taken place with reference to the files of newspapers used at the Commission. This morning a very full and careful inquiry has been made, and from information which has been supplied to me I think I shall be able to show that there has not only not been anything irregular, but that every step which has been taken has been taken on the direct order of the Commission, and I understand it is the duty of everybody to obey such an order. I understand that in the earlier stages of the proceedings subpœnas were served for particular files of newspapers. [MR. SEXTON: On whom?] On the librarian. [MR. SEXTON: What is his name?] I will give the name if the hon. Gentleman will let me tell my story. These particular files were taken down, but some inconvenience was felt because sometimes all the information required was not contained in the particular paper which was sent for. Therefore, an order of the Court was made, dated the 6th of November, 1888, and it was in these terms:—

"Whereas the Trustees of the British Museum are in possession of certain files of the newspapers called *United Ireland*, the *Freeman's Journal*, and such other papers as may be required from time to time, and whereas certain of the said files are now in the Royal Courts of Justice, we, the Commissioners appointed under the above-named Act, do order that the said files be delivered over to the custody of our secretary and his receipt taken for the same, the said files to be returned as soon as we have finished using them."

This order was signed by the Commissioners and was addressed to the Trustees of the British Museum, and it bore the signature of the Secretary of the Commission, Mr. Cunynghame. The subpœna was made out in the name of Mr. Graves, the officer charged with the custody of the papers. I was asked whether I would state the name of the second gentleman engaged in connection with the letters. The name of Mr. Birch has already been given, and I understand that the other gentleman was Mr. Ellis. The question was asked whether the photographic apparatus of the Museum has been used. I am told that there is no photographic apparatus in the Museum, therefore, it was not used. I ought to have stated that the order of the Commissioners, dated the 6th of November, was reported to the Trustees by Mr. Bullen on the 8th; and, on the 10th November, the Trustees held a meeting of the standing committee, at which they passed a minute to the effect that they agreed to the delivery of the files. The House will thus see that every step taken was taken simply in obedience to the order of the Commissioners. I understand that when the papers were taken to the Law Courts the intention was to place them in a room—the only room apparently available—at the top of the building; that the papers were never out of the custody of the officer of the Museum; that it was found that the room in question was exceedingly inconvenient for those who wished to consult the papers; that in accordance with an arrangement made Mr. Soames placed at the disposal of the Court a room in which certain people were seen, and that every night when the files were left there the room was not only locked, but also sealed. This arrangement continued up to the

time the files were taken back to the Museum. I am told that the papers were perfectly available for everybody who asked to see them, and that there was not the slightest intention to favour one side or the other.

MR. SEXTON: Will the hon. Gentleman say what amount was paid to the officials for their services?

MR. JACKSON: No, Sir, I cannot; I am not able to do so, because these two gentlemen have taken up a position which I am bound to say they are justified in taking up. They state that the work performed by them was done apart altogether from their official duties; that no part of the work was done during the time which it was their duty to give to the Museum.

MR. SEXTON: What did Mr. Graves get?

MR. JACKSON: I thought the hon. Gentleman referred to the payment by the *Times*. Mr. Graves received a guinea a day, and each of his two assistants received 5s. a day. I think I have now given hon. Members the information they desire to have.

MR. T. M. HEALY (Longford, N.): No doubt the statement of the hon. Gentleman is satisfactory so far as it affects the official action of the clerks; and I am quite willing to believe it was solely due to Mr. Soames and his friends that we were shut out from the papers. But there is one matter on which the statement of the hon. Gentleman is not satisfactory. Last night the hon. Baronet the Member for Cambridge implied that whatever work these officials did was done after official hours. It now appears that there is no photographic apparatus belonging to the British Museum. The almanack shows that on the 1st of October the sun set at half-past five o'clock, and on the 31st of October at half-past four o'clock. It is said these gentlemen did this work after official hours. Now we all know that for photography something like a decent light is required [Mr. J. W. LOWTHER: Electric light.] Photographing Pigott's signature by electric light! I should have thought the intelligence of the hon. Gentleman was proof against that. But it is not long since objection was taken to introducing the electric light into the Museum, and the electric light is not there.

MR. JACKSON: I omitted to state that these two gentlemen did the work during the leave they were entitled to take.

MR. T. M. HEALY: Then we have got rid of the official hours argument; I am glad of that. But then comes in the question of the four seasons. I presume these gentlemen usually take their holidays in the summer and not in October and November. The whole thing seems absurd. When men do wrong why do they not own to it? The only leave that Mr. Birch and Mr. Ellis seem to have taken is leave of their senses. It certainly is perfectly gratuitous to suggest that there is no photographic apparatus in the Museum. There ought to be one, and I would advise the addition of a few shillings to the Estimate to be spent in providing one. I was greatly impressed by the statement of the Attorney General that all the tests had been applied to the letters. These disclosures show the entire recklessness with which the whole business has been gone into. I renew my protest against the way in which things have been done. After the famous interview behind the Speaker's chair between the First Lord, Mr. Leycester, our old friend Walter and Mr. Houston, are we to be told that the *Times* people came to their conclusions unaided by science and aided only by the suggestions of Houston and Pigott? These gentlemen decline to say what fees they had, and I can understand their modesty, but we are brought to this position; we have the assurance of my hon. Friend the Member for Cork that he went first to Mr. Birch——

MR. JACKSON: I understand that is not so. The application of the hon. Member for Cork to Mr. Birch was subsequent to that of Mr. Soames.

MR. T. M. HEALY: Then it was a case of first come first served; their word

was previously pledged to Mr. Soames. Possibly so. Let us argue it from that basis. I will follow the stream which-ever way it flows. We are told that the application of my hon. Friend the Member for Cork to the scientists was subsequent to that of Mr. Soames. Very well. They had already declared their willingness to perjure themselves to Mr. Soames for a consideration. ["No."] They had pledged their willingness to declare on the four Evangelists that Pigott was a virtuous person. I will take it any way you like. Then we come to the point when they are approached by the accused, and I have always considered, in British jurisprudence, that the person entitled to consideration is the accused; but these gentlemen, having pocketed the money of the *Times*, declined to consider the position of my hon. Friend the Member for Cork. It does seem to me a very extraordinary thing that these gentlemen, having bound themselves to Mr. Soames, should declare their unwillingness to a Member of this House to hear what he had to say. As scientists, having no view as between parties, they might have heard what my hon. Friend had to say. But no, they shut their minds to that. They said, "We will not hear you; we will not see you or your signature. We have from Mr. Soames a series of documents and are prepared to swear they bear the signature of C. S. Parnell." These gentlemen might have said, "We have a retainer from Mr. Soames, but we are not in the position of advocates." I can appreciate the position of the Attorney General, and should have nothing to say against it if he were not Attorney General paid by the taxpayers. It is the business of an advocate, speaking generally, to urge what can be said on behalf of the client for whom he is retained, and to put his view of the law, an uncertain science, before the Court. But these gentlemen are not advocates; they are gentlemen who are paid by the country as scientists. Yet when they were approached by the hon. Member for Cork, they said, "We have already taken up the side of the opposition." Now, it does seem to me an invidious thing for people in this position to declare themselves on one side or the other. My hon. Friend had recourse to them in his desperation; not unnaturally he wished to have the best guidance. Driven from post to pillar he made every effort to defend himself against unjust accusations. These scientific gentlemen recklessly took the side of his accusers, and knowing what we now know the very name of expert has become odious.

MR. SEXTON: I desire a word in the nature of a personal explanation. The Secretary to the Treasury interposed in the speech of my hon. Friend with the remark that the offer on the part of the hon. Member for Cork to Mr. Birch came after the offer of engagement from the *Times*. I am informed by my hon. Friend that when the offer was made Mr. Birch made no such representation, and that my hon. Friend is satisfied that the engagement came after and not before his offer.

MR. LABOUCHERE: Looking at this from the taxpayers' point of view it seems to me we ought to hesitate before granting any salaries to these officials. It appears that they are always having leave; they have an exceptional amount of leave; and it appears that they are also very stupid. Before the sittings of the Commission there was the O'Donnell trial, and I presume these experts were consulted in reference to that trial, for the Attorney General declared that he had the best information that could be got in respect to the letters. So I suppose they then did their work on leave. In winter it is almost impossible for the officials of the Museum to examine documents except in office hours, for it is absolutely necessary to do the work by daylight. The Solicitor General has told us that these gentlemen are frequently employed in litigious cases. That being so I am inclined to ask, "When are they not on leave?" It does not seem that they devote much time to the business of the Museum, but in any case they ought not to be paid,

because they are so thoroughly stupid as to be utterly unreliable. They did not examine these letters with the microscope as any sensible expert would. I did, and if these experts had taken the trouble they would have seen a white line down the middle of the writing indicating where the ink did not flow over the pencil tracing. It did not require much acuteness to detect these signs of clumsy forgery, but these experts who are paid large sums of money could not see this. The photographs, we are told, were not taken at the Museum, and it is a somewhat surprising fact that an establishment which has to use photography largely does not possess photographic apparatus, but when photographs are required by the Museum somebody outside has to be employed. These photographs were taken by the person usually employed by the Museum authorities, and under the supervision of Mr. Birch and Mr. Ellis. Now, I do not suppose these men were absolute rogues; I do not say that for a moment, but I can only justify them from that imputation by considering them utter fools. When the copies of the photographs supplied to the defendants came to be examined, they were found to be secondary, not primary photographs. It might fairly be supposed that all the photographs would be supplied from the one negative, but that was not so. Photographs were taken from the first photographs and given to the defendants. Hon. Members will see how this increased the difficulty of discovering traces of forgery, because, of course, the secondary photographs reproduced all the imperfections on the paper of the primary photograph, and when they came to be magnified under the limelight it was exceedingly difficult to establish the forgery. Apart from these evidences of folly, it was a great abuse of the position of these officials that they should have gone over to the side of the *Times*; they should have reserved themselves for an order from the Court. Of course the *Times* must have gone to them first, for the *Times* had the letters and the hon. Member for Cork had not, and when the hon. Member did get them he found that the *Times* had engaged every expert they could put their hands on. It was an obvious injustice. Messrs. Birch and Ellis should have had a true sense of their position as public officials; they should have refused to serve the *Times*, knowing how their opinion might bias the public mind; they should have reserved their skill, such as it was, for the order of the Court. Under the circumstances, I think my hon. Friends have made out a good case, and I move the reduction of the Vote by £500.

*Mr. SPEAKER: I have already put the proposal that the House do agree with the Committee in the said Resolution.

The House divided:—Ayes 107 Noes 48.—(Div. List, No. 316.)

STATUTE LAW REVISION BILL [LORDS]. (No. 371.)

Order for Second Reading read, and discharged.

Bill withdrawn.

CANADIAN PACIFIC RAILWAY COMPANY (CONTRACT).

Motion made, and Question proposed,

"That the Contract with the Canadian Pacific Railway Company, dated the 15th day of July, 1889, for the conveyance of Her Majesty's mails, troops, and stores between Halifax or Quebec and Hong Kong, and for the hire and purchase of vessels as cruisers or transports, printed in Parliamentary Paper, No. 263, of Session 1889, be approved."—(*Mr. Jackson*).

*Mr. PROVAND (Glasgow, Blackfriars, &c.): I regret that the House should be called upon at this time of the night, and at this period of the Session, to consider this important contract. The House itself is thin, and Members are exhausted. Of course Government can at such a time invariably command a majority, consequently a contract of this nature never receives adequate consideration. It is brought up in accordance with the Standing Order which requires that the approval of this House should be given to these contracts. I am not making complaint particularly against this Government, because ever since this Standing Order was passed, all Governments have acted in precisely the same way. Now this contract is for a fortnightly service between Canada, China, and Japan,

and it is to cost us £60,000 a year. Perhaps, taking it altogether, there is more to be said in its favour and less against it than could have been said of any other contract which has been before the House in recent years. Two years ago there was a contract approved by this House which gave the P. & O. Company a sum of £265,000 a year, for ten years, for carrying the mails to India and China—the service to be a weekly one to India and a fortnightly one to China. Now, dividing this subsidy in proportion to mileage, this would give a cost of £129,000 for the Indian Service, and of £136,000 for the China Service. I pointed out at that time that £136,000 was an excessive sum to pay for carrying the mails to Hong Kong, because a much better and cheaper service could be had by way of Calcutta. I also drew the attention of the House to the fact that this very mail service, the contract for which is now before us, could be conducted much more rapidly for correspondence to China and Japan than by the P. and O. route. The House may remember that the P. & O. Company are only paid to carry the mails to Hong Kong, nevertheless a large quantity of correspondence has to go through to Shanghai and the Northern parts of China, as well as to Japan. Now, I should like to refer to some information which the Secretary to the Treasury in reply to a question last night gave to my hon. Friend the Member for Kirkcaldy in reference to the time occupied by these various routes. He said that the mails to Hong Kong, if sent by the P. & O. Company, over what is called the Eastern route, occupied a period in the sending, ranging from 32½ days to 37½ days, or an average of 35 days, while by the Western route the fastest time would be 34 days and the longest 36 days, which also gives an average of 35 days. But to Shanghai, the Eastern route occupies 37½ days at the shortest, and 42½ at the longest; whereas by the Western route the shortest time was 30½ days and the longest 32½ days, thereby giving a saving of from seven to ten days by this route as compared with the P. & O. Company's route. In reference to Yokohama, the saving was even greater, for it amounted to from 15 to 18 days in favour of the Western route. The P. & O. Company are only paid for carrying correspondence to Hong Kong, but of course a large correspondence is carried which goes on to Shanghai and Yokohama, and for which the Post Office is paid, notwithstanding which there is a heavy loss to our Post Office in connection with this service, because the amount received for postage is nothing like the sum which the Post Office has to pay for the service. When this proposed new contract comes into force, the loss will be very much increased, because a great deal of the correspondence which now goes by the Eastern route will be transferred to the Pacific route. This will be especially the case with correspondence to Shanghai and to Japan. Indeed, a great deal of the work, which the Peninsular and Oriental Company are now receiving $136,000 a year to perform, will be transferred to the new route, for which we are to pay a sum of £45,000 per annum. I have felt it my duty to draw the attention of the House to this matter. I have made no statement of facts about which there can be no dispute. I have merely quoted the reply of the Secretary to the Treasury given last night to the question of my hon. Friend the Member for Kirkcaldy. I know that in these days there is a tendency to meet statements of this kind by mere contradictions; because as these contracts are not considered in Committee, there is no opportunity for after restatement and proof; but I venture to say that it is impossible for the Government to contradict the statements which I have made. I do not intend to divide the House on this question, and will content myself by giving notice that I intend next Session to place a Motion on the Paper with reference to contracts of this kind, with a view of having them referred to a Select Committee before they are finally accepted by the Treasury, and thus we may relieve the House of the responsibility which now falls upon it.

SIR GEORGE CAMPBELL (Kirkcaldy): I entirely disapprove of this contract. I think it is most extravagant and unnecessary. You have already a perfectly good service, and I do not think we want any fresh arrangement. It seems to me that this contract is the

result of pressure which has been brought to bear upon the Government with the view of securing additional traffic for this Canadian Pacific route. I think my hon. Friend was in error when he spoke of it as a fortnightly service. I find on reference to the contract that the sum of £60,000 is to be paid for a monthly mail service to China and Japan, and therefore I am induced to assert that it is the most extravagant contract which the Post Office has ever yet made. Regarding the time which will be occupied by the alternative routes, I think the Secretary to the Treasury must have considerably stretched the matter in favour of the Western route. If he will look at the date at which the Peninsular and Oriental Company have bound themselves to deliver the mail at Hong Kong and Shanghai, I think he will find that I am correct in this suggestion. I fancy, also, that he has only allowed five and a half days for the carriage of the mails across the Atlantic, and he has not taken into consideration the stoppages which are likely to occur there. In fact, to my mind, if this contract is to be carried out in the time he has suggested, it will involve the establishment of a regular service across the Atlantic in connection with it. No doubt the quicker service to Japan will be a considerable advantage, but, after all, it is a comparatively small service, and certainly not worth while our paying £45,000 a year for it. As regards China you have an alternative route for mails, and I do not think you will get them carried a bit quicker than you do now by the Peninsular and Oriental Company. I know we have been told that this new route will be of advantage to us for naval and military purposes, but I ask where does this advantage come in, unless, indeed, we propose to invade Japan, which I hope we shall never attempt? A suggestion has also been made that it affords an alternative route to India. I deny that there would be any advantage in that respect. I think that so long as we retain command of the seas we shall find that the route we possess around the Cape of Good Hope will perfectly well meet all our requirements, and it is utterly absurd and ridiculous to suppose that we should ever require to send our troops by this new Western route. I think the manner in which this contract has been pressed upon the acceptance of the Government constitutes a great abuse of the Forms of the House, and I think it is also an equal abuse that at this late hour of the night, when we have a rule which stops ordinary business at 12 o'clock, we should be enabled to vote away the money of the nation. We know it is quite impossible to fully discuss these matters at this period of the night, and I desire to enter my very strong protest against the course which has been taken by the Government. I hold this route to be totally unnecessary. We know it is not required for postal purposes; and for naval and military purposes I contend it would be utterly useless, unless we ever intend to invade China and Japan, and that I hope we never shall do.

Question put, and agreed to.

Resolved—

"That the Contract with the Canadian Pacific Railway Company, dated the 15th day of July 1889, for the conveyance of Her Majesty's Mails, Troops, and Stores between Halifax or Quebec and Hong Kong, and for the hire and purchase of Vessels as Cruisers or Transports, printed in Parliamentary Paper, No. 263, of Session 1889, be approved."—(*Mr. Jackson.*)

CIVIL ESTABLISHMENTS (ROYAL COMMISSION.)

Copy ordered—

"Of Treasury Minute, dated the 10th day of August 1889, upon the Second Report of the Royal Commission on Civil Establishments."—(*Mr. Chancellor of the Exchequer.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 330.]

PUBLIC WORKS LOANS [REDEMPTION OF ANNUITIES.]

Committee to consider of authorising the repayment out of moneys to be provided by Parliament for Naval Services, and, if so far as those moneys are insufficient, of charging on the Consolidated Fund any sums advanced by the Commissioners for the Reduction of the National Debt to the Admiralty for the redemption of annuities to certain Railway Companies under any Act of the present Session to grant money for the purpose of certain local loans, and for other purposes relating to local loans (Queen's Recommendation signified), to-morrow.

House adjourned at twenty minutes after One o'clock.

HANSARD'S PARLIAMENTARY DEBATES.

No. 13.] SEVENTH VOLUME OF SESSION 1889. [AUGUST 26.

HOUSE OF COMMONS,

Saturday, 17th August, 1889.

OFFICIAL SECRETS BILL. (No. 382.)

Lords Amendments to be considered upon Tuesday next, and to be printed.

POOR LAW BILL. (No. 383.)

Lords Amendments to be considered upon Tuesday next, and to be printed.

ORDERS OF THE DAY.

LOCAL GOVERNMENT (SCOTLAND) BILL. (No. 374.)

Lords Amendments considered:—

Amendment, in page 3, line 8, after "any," insert "casual."

Motion made, and Question proposed, "That this House doth agree with the Lords in the said Amendment."

SIR G. CAMPBELL (Kirkcaldy): I wish to say, in regard to these Amendments, that, although we have been handsomely treated by the House of Lords, the Amendments come so suddenly upon us that it is difficult to examine them, and I hope the Lord Advocate will tell us if there is any substantial alteration. Sometimes a snake lurks in the grass.

*MR. SPEAKER: I must remind the hon. Gentleman that the time for making any general remarks was when I put the Question, that these Amendments be now considered.

Question put, and agreed to.

Amendment, in page 10, line 5, leave out "a determination," and insert "any proceedings."

Motion made, and Question proposed, "That this House doth agree with the Lords in the said Amendment."

MR. CALDWELL (Glasgow, St. Rollox): I wish to point out to the Lord Advocate the effect of this Amendment. As the Bill left this House, an appeal could be made by the ratepayers from a decision of the District Committee to the County Council. Of course we are all anxious that, when the Bill comes into effect, the appeals shall be as little as possible, and that they should not be upon trivial matters. The effect of the Lords' Amendment is to leave out "determination," and insert the word "proceeding," so that the ratepayers may appeal to the County Council against any proceeding whatever of the District Committee. The effect of this will be that the Committee may order a certain pavement to be put in repair, or some trivial thing of that kind, and the matter can be hung up, because the Secretary for Scotland declares that, as there is an appeal pending, the proceedings must be delayed. Of course it is too late now to make any alteration in the Lords' Amendment, and I have only risen to point out the effect of the alteration—namely, that it opens the door to appeals, and thereby lessens the power of the District Committees.

Question put, and agreed to.

Amendment, in line 7, at end of Clause 77, add—

"Provided that where a county is not divided into districts the powers and duties and liabilities of a District Committee under this Act shall devolve upon the County Council,

and for the purposes of the management and maintenance of highways, and the administration of the laws relating to public health, the following persons shall be deemed to be County Councillors; that is to say, one representative from a Parochial Board of each parish comprised or partly comprised within the county, and one representative of each burgh within the meaning of the Roads and Bridges (Scotland) Act, 1878, where the management and maintenance of the highways within the burgh have, under the provisions of the last-mentioned Act, been transferred to the county; and the provisions of the immediately preceding Sub-section shall apply to those representatives."

Motion made, and Question proposed, "That this House doth agree with the Lords in the said Amendment."

MR. CALDWELL: This Amendment makes provision for the powers of District Committees in counties which are not subdivided; in which case the representatives of the Parochial Board are to be deemed County Councillors for the purposes of the Act, with all the powers of County Councillors. Now I gather that, under this Bill, women may be members of District Committees of the County Council. There is this disqualification, that no woman shall be elected a County Councillor; but there is a proviso that, in regard to the formation of District Committees, the Parochial Boards and certain burghs are to appoint representatives. There is no restriction whatever as to the character of these representatives and no disqualification in the case of women. The effect of the clause introduced by the Lords is that, where there is no subdivision of a county, the persons elected by the Parochial Boards shall be deemed to be County Councillors; and, therefore, the disqualification of women will come in; and the rights of the Parochial Boards in sending representatives to the District Committees will necessarily be curtailed, instead of having extended to them the full rights and privileges of County Councillors in the case of counties not subdivided. I think the better reading of the Amendment would be "that such persons shall be held to possess the power and privileges of County Councillors," because the disqualification does not apply to the original appointment; and the words "shall be deemed to be County Councillors" must be read in regard to the performance of the duties, without involving a restriction that women shall not be appointed. I have felt it incumbent upon me to call attention to this Amendment, but I do not propose to move that the House shall disagree with it.

Question put, and agreed to.

Amendment, in page 72, line 17, at end of Clause 119, to add as a new Sub-section:—

"(9) For the purposes of this Section, county road clerks and district road clerks shall be deemed to be existing Officers."

Motion made, and Question proposed, "That this House doth agree with the Lords in the said Amendment."

SIR G. CAMPBELL: I strongly object to the Amendment, and I beg to move that this House do disagree with it. It seems to me to be exceedingly like a job. It will be remembered that the Compensation Clauses of this Bill were regarded in this House with very great suspicion. In my opinion they are far too liberal already; but, according to this Amendment, a new class of officers are to be entitled to compensation. These county road clerks and district road clerks either come under the general designation of officers entitled to compensation, or they do not. If they do, they are entitled under Clause 118 to compensation; but if not, I do not see why we should accept an Amendment which will give them the title.

*MR. SPEAKER: Does the hon. Gentleman object to this Amendment?

SIR G. CAMPBELL: Yes, Sir.

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): This is a mere drafting Amendment. There is no doubt of the fact that these officers are in substance "existing officers," and the Amendment has only been inserted to make the matter clear.

MR. CALDWELL: What the Lord Advocate has stated is quite true; but it is equally true that the object of this Amendment is to give these officers a right to compensation; whereas under the Act by which they were appointed they have no right to compensation. In the section which immediately precedes this, it is declared that certain officers, whose offices are likely to be abolished, shall not be entitled to compensation unless they are otherwise entitled to compensation, and this is an alteration which

was slipped in from the other side of the House, and accepted by the Lord Advocate. We were taken by surprise, and allowed it to be accepted. I shall certainly support the Motion of my hon. Friend to disagree with this Amendment.

The House divided :—Ayes 63 ; Noes 23.—(Div. List, No. 317.)

Remainder of Lords' Amendments agreed to.

PUBLIC WORKS LOANS [REDEMPTION OF ANNUITIES.]

Considered in Committee.

(In the Committee.)

Resolved—

"That it is expedient to authorise the repayment out of moneys to be provided by Parliament for Naval services, and, if and so far as those moneys are insufficient, to charge on the Consolidated Fund any sums advanced by the Commissioners for the Reduction of the National Debt to the Admiralty for the redemption of annuities to certain Railway Companies under any Act of the present Session to grant money for the purpose of certain local loans, and for other purposes relating to local loans."

Resolution to be reported upon Monday next.

SUPPLY—CIVIL SERVICE ESTIMATES.

Considered in Committee.

(In the Committee.)

CLASS VI.

1. Motion made, and Question proposed,

"That a sum, not exceeding £260,472, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1890, for Superannuation, Retired, and Compassionate Allowances and Gratuities under sundry Statutes, and for Compassionate Allowances and Gratuities awarded by the Commissioners of Her Majesty's Treasury."

SIR G. CAMPBELL (Kirkcaldy) : I think we have great reason to complain that so very important a Vote, involving serious considerations, which received much discussion in previous Sessions, should be sprung upon us in this irregular way. I have no doubt that the First Lord of the Treasury is anxious to make progress with the Estimates, but he gave a distinct pledge some time ago, which I think must have escaped his memory, that, excepting the Irish Votes, the Estimates should be taken in their regular order. It is particularly unfortunate that this Estimate should have been selected for consideration to-day out of the ordinary course, seeing that the Treasury Minute in relation to the Civil Service, which I believe has been laid upon the Table, has not yet been distributed to Members.

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.) : That Minute has no reference to this Vote.

SIR G. CAMPBELL : It refers to the medical certificates or to the terms upon which superannuation is to be allowed.

*MR. JACKSON : It will be dealt with on the Superannuation Bill.

SIR G. CAMPBELL : I think we ought to know what the Government intend to do before these Superannuation Allowances are voted. What I want to know is, whether this Estimate contains all the Superannuation Allowances we shall be asked to vote this year? Last year a Supplementary Estimate was presented, and, although we allowed it to pass, it certainly contained items which were open to criticism, and which ought to have been disallowed. In the present case I wish to know if there are Superannuation Allowances, of which we have no knowledge, which will have to be paid out of this Vote? Before we go into particulars, I hope the Secretary to the Treasury will be able to tell us whether it is a fact, or not, that a good many Annuities and Superannuation Allowances have been granted, the nominal list of which does not appear in the papers attached to this Vote.

*MR. JACKSON : When this Vote was before the Committee last year I was asked whether the list attached to the Estimate contained a complete list of all the Superannuations granted and which were paid at that particular time. I explained that the list attached to the Estimate contained particulars of all the Superannuations added up to the November previous. I also explained that it had been the custom hitherto to publish once every three years a complete list of all the Superannuation Allowances, and I was asked whether in future I would not have a complete list published every year. I replied that next year is the year for publishing a complete list, and that if it was the wish of the Com-

mittee that a complete list should be published every year I would see whether the wish could be gratified. The list attached to the present Estimate does not contain every Superannuation Allowance; for instance, the allowances granted since the 30th of November do not appear in the list. They will appear next year. As I have said, a complete list will be published next year. I think there is no reason beyond the labour and the cost of preparing it why the list should not be given every year in a complete form.

SIR G. CAMPBELL: I think it is necessary we should have a complete list of Superannuation Allowances presented along with the Estimate. At present we only know what Superannuations are granted; we do not know whether they are rightly or wrongly granted. We are asked to vote some Superannuations now, and not to know anything about them until next year, when it will be too late. The whole object of the lists attached to the Estimates is defeated, because they are out of date. I certainly understood that the result of the discussion last year would be that we should have a complete list presented with the Estimate.

*MR. FLYNN (Cork, N.): I observe there is a Superannuation Allowance of £236 5s. to Mr. Clifford Lloyd. Mr. Clifford Lloyd's age is given as 41. He served only 11 years, and received a salary of close upon £1,000. But the Committee know that this gentleman has been employed in the Public Service since this Superannuation Allowance appeared in the Estimate. If I mistake not, Mr. Clifford Lloyd was employed in Egypt since he was supposed to have retired from the Public Service on account of ill-health. Besides, he has been employed in the Mauritius, fomenting, as far as he could, disturbances of a most trying character between certain of the colonists and the Governor, Sir John Pope Hennessy. In the Mauritius he was, both physically and mentally, most active, and how the name of the gentleman can appear in the Estimate as having been retired from the Public Service on account of ill-health I cannot understand. If the gentleman's name appeared amongst the Compassionate Allowance we might probably understand it. I hope it will not appear in next year's Estimate, because if it does, we shall have to inquire why we find Mr. Clifford Lloyd in the Public Service.

*MR. JACKSON: I explained this item to the Committee last year. It is true that this gentleman retired through ill-health. It is true that after he was awarded this Superannuation Allowance his health apparently improved, and he was given fresh employment, but during the time he was employed the pension was suspended. His health broke down again, and, of course, his pension came into force again. I am afraid there can be no doubt that his health is seriously impaired.

SIR G. CAMPBELL: This case proves what I said.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The case was debated and explained last year.

SIR G. CAMPBELL: That is what I was going to say. The pension was granted last year, and yet it appears in the roll of this year. The case makes abundantly clear the gross abuse made of medical certificates. I have no doubt Mr. Clifford Lloyd's health was, for very good reasons, endangered in Ireland, but after he had served in Egypt and the Mauritius, he was allowed to go back on the old medical certificate.

MR. HENNIKER HEATON (Canterbury): Is the right hon. Gentleman quite confident this Superannuation was passed last year?

MR. W. H. SMITH: Yes.

*SIR G. CAMPBELL: I have another case to mention. I do not know whether this was passed last year. It is the case of the Hon. Sir W. Stuart. He has served only 14 years, and he is to get an annuity of £1,300. The cause is represented by a blank. It is not stated to be ill-health: no cause whatever is given. I should like to receive some explanation of this grant.

MR. JACKSON: This Superannuation Allowance was awarded to this gentleman under an Act which governs diplomatic pensions, and the allowance does not exceed the amount he is entitled to.

SIR G. CAMPBELL: Is that really so? Is there an Act governing diplomatic pensions and allowing a man £1,300 a-year after 14 years' service? If so, why is that Act not stated in the proper

column? I beg to move the reduction of the Vote by £1,300.

MR. SEXTON (Belfast, W.): I wish to make an inquiry concerning two pensions which caused a great deal of interest in Ireland—one is the pension allowed to Mr. Cornwall.

THE CHAIRMAN: A Resolution has been moved to reduce the Vote in respect of a particular pension.

Motion made, and Question proposed, "That a sum, not exceeding £259,172, be granted for the said Service."—(*Sir George Campbell.*)

SIR G. CAMPBELL: Shall I have an opportunity of moving other reductions?

THE CHAIRMAN: Yes.

Question put, and negatived.

Original Question again proposed.

SIR G. CAMPBELL: There are two very large pensions allowed on account of abolition of office in the Patent Office. My impression is that there was some discussion on this question last year, but I do not know whether the pensions were voted last year or not. I should like some explanation of this abolition of office under which two gentlemen in the prime of life receive, one a pension of £520, and the other a pension of £300 6s. 8d.

MR. JACKSON: These gentlemen were retired following a very careful and full inquiry by a Committee, over which my hon. Friend the Member for Wigtonshire (Sir H. Maxwell) presided. The result of the inquiry and the result of the abolition of office has led to a very large saving in the Patent Office, and, I think, to a more efficient discharge of the duties of the Patent Office. I believe I explained the question last year.

SIR G. CAMPBELL: I think this question was more or less before the House last year, and I have in my hand a letter from one of the gentlemen whose office was abolished.

MR. JACKSON: He objected, no doubt.

SIR G. CAMPBELL: Yes; he did not want to be abolished at all. It seems to me that this is a very heavy burden to put on the taxpayers, but I will not press it further. Now, let me point out that there is an extraordinary epidemic of ill-health in the prison establishments. I find a long list of gentlemen who, having served only 10 years, are retired, not on account of reorganisation or any change made in prison management, but on account of ill-health. Take the case of the Rev. R. Bullock. He has served 10 years, he has retired on the ground of ill-health, and he has been awarded a pension of £98. Perhaps the Secretary to the Treasury will tell us how it happens there has been this extraordinary epidemic of ill-health amongst the prison officials of the United Kingdom?

MR. JACKSON: This matter I endeavoured to explain clearly the last time the Vote was before the Committee. The hon. Member will remember that under the Prisons Act the pensions to which the officers who served under the local authority and took service under Government were entitled, were to be apportioned, according to the service, partly on the local authority and partly on the Government. The gentleman whom the hon. Member has mentioned is 58 years of age, and the 10 years represent his services under Government.

SIR G. CAMPBELL: I admit that explanation; but the hon. Gentleman has not attempted to explain the extraordinary epidemic of ill-health amongst prison officials.

A LORD OF THE TREASURY (Sir H. MAXWELL, Wigton): Perhaps I can give the hon. Gentleman a satisfactory explanation. Every medical certificate comes before me before the pension is granted. In all these cases I make most particular inquiries; in fact, a pension is not granted until I am fully satisfied of the *bona fides* of the case.

SIR G. CAMPBELL: I have no doubt the hon. Baronet has done his duty, but still he is liable to be deceived. Were these gentlemen examined by a public medical officer?

MR. JACKSON: Yes, all of them.

MR. SEXTON: Is there any pension or allowance paid to G. C. Cornwall, formerly the Secretary to the Post Office in Ireland? He left the Service under circumstances of a most extraordinary character which——

MR. JACKSON: I understand the Post Office pensions do not appear in this Vote at all.

MR. SEXTON: Then in the case of Corrie Condon. He was in Dublin Castle, and left the Service under circumstances of a most unprecedented character.

MR. JACKSON: I am told he has been dead two years.

MR. SEXTON: What is the nature of the information the hon. Gentleman possesses?

MR. JACKSON: I have it on the best authority; but if the right hon. Gentleman wishes details, I will get them.

MR. SEXTON: Can the hon. Gentleman assure us that the payment of the pension has ceased?

MR. JACKSON: Yes, Sir.

SIR G. CAMPBELL: I find there has been an immense number of pensions granted in the Courts of Justice. A clerk, 33 years of age, received a salary of £481. He served 11 years, and got a pension of £61. Another clerk, 36 years of age, received a pension of £185; another clerk, 46 years of age, was awarded a pension of £266; another clerk, 50 years of age, got £371; and all these pensions were granted on the ground of reorganisation of office. In the Board of Trade Department, I notice many pensions ranging from £200 to £400, and these, too, were granted on the ground of reorganisation of the Registry Office.

MR. JACKSON: The reorganisation of the Registry Office followed upon the Report of a Committee, and I believe the saving was from £10,000 to £12,000 a year. I believe there never was a better reorganisation of an Office. The work was transferred to another Department, with the result I have stated. Really, if I may venture to say so, unless the hon. Gentleman is willing to trust to the administration of the Department and their desire to carry out the work in an economic way, it will be absolutely impossible to make any arrangements at all or carry out any reorganisation for the benefit of the Public Service. The payments made in these instances are such as the recipients can fairly claim; they are not exceptional terms, large savings are effected, and I am quite sure the work of the Office is economically administered.

SIR G. CAMPBELL: I am not willing to trust Government officials in the matter, for I know what gross jobbery takes place in regard to reorganisation of Offices. Men are retired in the prime of life, others are promoted, and pensions are created. What is wholly lost sight of is the principle that when a man in the prime of life has his Office abolished he ought to be found employment in another office; he ought not to have a vested right to compensation. I am not prepared to say there is a case for the reduction of the Vote, but there is much in it that requires explanation, and this I hope another year it will receive.

DR. CLARK (Caithness): Nearly all the men are 60 years of age, and I do not see how you can take these clerks and settle them in a new office.

SIR G. CAMPBELL: They are all ages, from 33 upwards.

Question put, and agreed to.

2. £7,000, to complete the sum for Merchant Seamen's Fund Pensions, &c.

3. £65,500, to complete the sum for Pauper Lunatics, Scotland.

MR. CALDWELL (Glasgow, St. Rollox): I must say I think there is much unfairness in the manner in which Scotland is treated this year as compared with England. England in the current financial year has not only the probate duty but the licence duty, but in Scotland we have the old system of grants.

THE CHAIRMAN: The hon. Member cannot raise the question on this particular Vote.

Vote agreed to.

4. £4,005, to complete the sum for Pauper Lunatics, Ireland.

*MR. FLYNN: I observe there is an increase of £4,545 in this Vote, and as indicating an increase in the number of pauper lunatics, this affords little consolation to the Irish people. But I call attention to the Vote for the purpose of expressing my opinion that the Treasury would not be called upon to make such a large contribution if asylums had more efficient local control. We have before complained of the want of local representation on the Board. Such *quasi* representation as there is, is by nomination of the Lords Lieutenant of the Counties.

THE CHAIRMAN: The only question before the Committee is the grant of four

shillings per head in aid of the maintenance of pauper lunatics. It is not possible to enter into the question of administration or control.

*MR. FLYNN : The point I wished to raise was that the contribution would not be so heavy if there was more efficient control. However, I will call attention to the subject on another occasion ; it is certainly a matter that deserves the consideration of the Treasury.

MR. MOLLOY (King's County, Birr) : Has anything been done in relation to the question which was raised last year or the year before as to the boarding-out of pauper lunatics? The hon. Gentleman will remember that strong recommendations were made in that direction.

MR. JACKSON : There have been some communications on the subject. I will ascertain and give the hon. Gentleman every information.

Vote agreed to.

5. £7,658, to complete the sum for Hospitals and Infirmaries, Ireland.

MR. SEXTON : As the Chief Secretary and the Solicitor General for Ireland are both absent it might be convenient for the hon. Member for Dover to give us some explanation of the intention of the Government in regard to this Vote. The hon. Gentleman confines himself too much to correspondence. We should be glad to have a "taste of his quality" in Debate. I consent to the Vote with reluctance, because the distribution of the grant is made upon a scheme settled 35 years ago, and which bears no relation to the needs of the City of Dublin and the relative value of the work done by the hospitals concerned. It will be found, on reference to the list of those who have local knowledge, that it is an antiquated settlement and does not meet the requirements of to-day. It is very well known that the Government have had a Bill on the stocks for some time for a capitalisation and redistribution of the grant, and we have waited anxiously for the effectuation of a settlement. Perhaps the Secretary to the Treasury can now make some decisive announcement? We pay £700 to a draftsman, and I think we may claim some work from him. I believe a Bill has been partly drawn up and that its provisions substantially carry out the recommendations of the Commission on the subject. If that is so I assume that the Bill would pass with general assent, certainly with the assent of Irish Members. I understand that the persons concerned have been given to understand there is an intention to present a Bill, and only this morning I had a letter from a gentleman interested, expressing how keenly the delay is felt. I am sure I may appeal to the compassionate nature of the Secretary to the Treasury, and I would press him to even now bring in the Bill, and I think I can assure him it would go through its various stages without difficulty. It will be a small concession at the end of a Session barren of results for Ireland.

MR. JACKSON : I may say that I had hoped to introduce the Bill earlier in the Session ; it is drafted, and I believe just about ready. I will endeavour, after what the right hon. Gentleman has said, to introduce it, and try to pass it, this year. Of course that can only be done if the Bill receives practically the unanimous support of the House.

DR. CLARK : If there is anything that Ireland wants, it is at once given. If there is anything Scotland asks for, it is at once refused. Here is a proposal to grant money for Irish hospitals. What is the claim for Imperial money to be devoted to that purpose, while in Scotland and in England we have to depend on our local subscriptions?

MR. MOLLOY : I hope the Secretary to the Treasury will introduce the Bill. I am sure it will receive general assent. Do not let him be deterred by the fear of the opposition of my hon. Friend near me. I think I may undertake that he shall be taken away into the country.

MR. SEXTON : I am sure my hon. Friend will not take such an unjustifiable course as his words would seem to indicate. I am sure, looking back over a period of 10 years, he will find that by votes and voice Irish Members have always supported the just demands of Scotland,—and the demands of Scotland are always just. Never have we interfered to prevent the allocation of Imperial money to Scotch uses, and I hope my hon. Friend will not pursue a policy so much at variance to that we have pursued towards Scotland, and disturb the relations between Scotch and Irish Members which have been maintained

for many years. This redistribution was recommended by a Royal Commission some years ago. I have confidence in the good intentions of my hon. Friend, and would beg the Secretary not to be disturbed on his account.

*Mr. MURPHY (Dublin, St. Patrick's): I think that the effect of the recommendations of the Commission went not only to redistribution, but to an actual reduction of the grant. I am sure that those who are interested in this matter would be willing to accept a smaller sum if it were allocated in a manner in which the money would be more usefully employed. It would facilitate the passing of the Bill if, having in view the possibility of amendment, we could see its provisions without delay.

Dr. CLARK: Of course, until I see the Bill I do not know what course I may deem it my duty to take. I only wished to point out the difference in the way in which the Treasury treat Ireland and Scotland. I said last night that Ireland is the spoiled favourite of the Treasury, and this is an instance of that.

Vote agreed to.

6. £6,533, to complete the sum for Savings Banks and Friendly Societies Deficiency.

Dr. CLARK: I see there is £12,019 more to be paid under this Vote than last year, and this after the statement of the Chancellor of the Exchequer that the sum would decrease year by year, and that there would be no increase in the liability. I do not see the use of doing anything to make good these sums to Savings Banks. I think when we instituted the Post Office Banks all others should have been placed in the position of any other joint stock banks, and give the market rate.

*Mr. JACKSON: I do not remember that my right hon. Friend said that this particular subhead was going to decrease every year, except in the sense that it would be gradually wiped out. As I understand, this year the increase is largely due to the fact that interest received on investments has diminished. Everybody knows that the rate of interest obtained now is much less than it was. As regards Friendly Societies, the Chancellor of the Exchequer has the power to use the Sinking Fund, and did use it, to pay off large advances. It comes to the same thing in the long run.

Vote agreed to.

7. £939, to complete the sum for Miscellaneous Charitable and other Allowances, Great Britain.

Dr. CLARK: I observe that there are still certain Spaniards residing in this country who receive allowances for services rendered 70 or 80 years ago, though I see, after the discussion of last year, the item for the aged Canadian Indian, £6, has disappeared. But in regard to these annual payments, and the amounts for the repair of the bridge at Berwick, and the grant to the Bishop of Sodor and Man, would it not be well that they should be commuted and be done with?

*Mr. JACKSON: I agree that these small sums ought to be wiped out, and, following out the discussion we had last year, I did raise the question, but it was deferred in view of the question of which notice was given by the hon. Member for Northampton in relation to pensions and allowances.

Mr. HENNIKER HEATON: I dare say the information has been given before, but can the hon. Gentleman explain the item of £1,000 as compensation to Universities for the loss of the privilege of printing and vending almanacks?

Mr. JACKSON: The explanation is that formerly under Royal Charters the Universities enjoyed the sole privilege of printing almanacks, and when this was thought to be inconvenient in the public interest, an allowance was made, and the privilege taken away. It is one of those items that, with others, ought to be commuted.

Vote agreed to.

8. £1,474, to complete the sum for Miscellaneous Charitable and other Allowances, Ireland.

Vote agreed to.

CLASS VII.

9. £12,639, to complete the sum for Temporary Commissions.

Mr. CALDWELL: I desire to say a few words with reference to the Educational Endowments (Scotland) Commis-

sion which expires this year. There is the peculiar circumstance that while the Commission expires this year, important alterations will be made in the schemes they have passed, and it is desirable that the attention of the Commission should be called to the effect of the changes that will take place within the next few months in order that they may advise the Education Department before they cease to hold office. The Committee is aware of the changes effected by the granting of free education under the Local Government Act for Scotland, and very important changes will take place as regards a number of endowment schemes. The Act provides that where a scheme provides the payment of fees for elementary education, henceforth secondary education shall be provided in its place, but the point upon which the Local Government Act does not make provision, and to which it is necessary the Commissioners should have regard, is that under certain schemes passed by the Education Commission, there are certain secondary schools which have primary as well as secondary education. It is obvious that some change will be necessary, owing to the institution of free education. Every parent in Scotland is entitled to have his child educated free of fee up to Standard 5. But while this is the case there will be several schools in existence having primary departments, which will be giving primary education at the expense of endowments, performing work that ought to be done by the State. So there will be this position: that the richest man can have his child educated for nothing at a State-aided school, while a certain class of people, foundationers under educational endowment schemes, who are entitled to free education on elementary subjects in schools under State assistance, will be required to go before the Parochial Board for the purpose of getting education for their children in educational endowment schools. It cannot be said that the children of persons requiring assistance for the education of their families should have special privileges over the richer members of the community. To my mind there should be a primary school attached to each secondary school under educational endowment. There are reasons for this which only require to be stated to command universal acceptance. For instance, it is of great importance that the secondary schools should have a foresight of the primary education of those who afterwards come to them. Another reason is, that where the schools are separate, parents, as a rule, when the children leave the primary school, do not care to send them to the secondary school. When the primary school is done with, the chances are that the parent will take the child away altogether; whereas, if the secondary school is attached to the primary, the parent will not take the child away. [*Cries of* "Divide!"]

THE CHAIRMAN: I do not see how the hon. Member connects his observations with the Vote.

MR. CALDWELL: These schemes are at present under the charge of the Education Endowment Commissioners. A change has taken place which they will have to consider in order to see what effect it will have on the schemes under their control, and——

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I wish to ask whether the hon. Member is in order in going into detail as to these schemes?

THE CHAIRMAN: I understand he is asking for an explanation.

MR. CALDWELL: The Educational Endowment Commissioners have only three or four months longer to work. It is stated in a note here that they will have to advise the Department as to the adjustment of the schemes already submitted, and what I wanted to bring out was, that before the Commissioners quitted office they should have regard to the change in the Local Government Bill, and be prepared with what alterations they think it desirable to recommend. It is plain that the Commissioners are still in office——

MR. JACKSON: They are not paid.

MR. CALDWELL: No; but the work of this office comes under the present Vote. The question is, whether the matter I was referring to comes within the province of the Commissioners. Unless some change is effected before the Commissioners leave office, these schools may be injuriously affected.

Vote agreed to.

10. £4,463, to complete the sum for Miscellaneous Expenses.

*Sir G. CAMPBELL: This includes the Supplementary Vote, I suppose?

Mr. JACKSON: No, it does not.

Dr. CLARK: I would ask the Secretary to the Treasury what is the sum actually spent, after bearing in mind the receipts, on this flummery,—medals, &c.?

Mr. JACKSON: The sum actually spent is *nil*. Last year's accounts, which I have gone into very carefully, show that there is an actual surplus.

Vote agreed to.

11. Motion made, and Question proposed,

"That a sum, not exceeding £2,348, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, for the Repayment to the Civil Contingencies Fund of certain Miscellaneous Advances."

*Sir G. CAMPBELL: I desire to move the reduction of this Vote by £600 on the ground that the compensation of £1,600 paid to Michael Brannaghan and Peter Murphy, the two men wrongfully imprisoned in connection with the Edlingham burglary, is excessive, and that the case demands further investigation. Considerable attention has been paid to this case in the country, and I am sure that if this Vote had been brought forward at any other season of the year it would have had great interest for many Members of the House of Commons. As it is, we are asked to pass the Vote at a time when it is impossible to discuss the matter satisfactorily. I have continually dunned the right hon. Gentleman the Home Secretary on this subject, but have been unable to ascertain why this Estimate has not been put before us until the middle of the month of August. I can well understand that the right hon. Gentleman has been in no hurry to lay it before the House. The Estimate relates to a case not only important in itself, but raising a grave and serious question as regards our police administration and administration of justice. My experience of similar cases has not been small, and I say that my impression is that the matter was not originally one of extreme difficulty if it had been thoroughly investigated. It has never been thoroughly investigated; there have been half a dozen piecemeal and partial investigations, which have only led to the matter being left in greater obscurity than ever. It was one of those cases in which the evidence, if true, was entirely overwhelming. The men who were convicted of the burglary were undoubtedly guilty if the evidence was true. It appears to me there was no middle course—either they were guilty, or the police were guilty of a most foul and abominable conspiracy, and the case is one of the most deplorable that ever came before the House. The Home Secretary, after a one-sided inquiry, came to the conclusion that the conviction some years ago was an erroneous one, and that the men were entitled to compensation. My own impression is that the Home Secretary, seeing how careful he always is to weigh the facts in cases of this kind, is probably right; but, at the same time, I must say that the case has never been cleared up, and there is this extraordinary peculiarity about it, that, whilst the House of Commons is asked to vote this sum in compensation to the men wrongfully convicted, the local Magistrates—including a very distinguished Member who usually sits opposite—seem to share with many others the opinion that these men were guilty, that the Home Secretary has been drawn into a trap, and that the compensation is improperly granted. Whilst the Home Secretary is asking us to grant a Vote because these men were falsely convicted, the local Magistrates have gone so far as to present the police with an address on vellum for their conduct in this case. I do maintain that there is something wrong in our system which renders such a scandal as this possible. The men, Brannaghan and Murphy, were accused of burglary and shooting at and wounding a man and his daughter. There were boot-marks which were identified as those of the accused, and there was an overwhelming piece of evidence, as I think, which the Judge unfortunately rejected. It appears that, some time after the burglary, a piece of cloth was found under the window where the burglary was effected, and that it exactly fitted the place from which a piece of cloth was torn out of the trousers of one of the prisoners.

There was something suspicious in the fact that the fragment was not found until some days after the burglary. The Judge, unfortunately, stopped this evidence, saying that the button attached to the cloth did not correspond with the other buttons on the trousers. It now turns out that there was a tailor who could have proved that the piece of cloth came out of the prisoner's trousers, but he says it was not torn out but cut out. Either this evidence as to the piece of cloth was true or concocted, and the Judge should have gone into it. No doubt the Judge did his duty as he thought; the men were found guilty, and sentenced to penal servitude for life. They protested their innocence, but no one paid any attention to them, and the thing was forgotten for many years, until a young and rising lawyer took the case in hand. He seemed to have some reason to suppose that these men were innocent and that others were guilty. He put himself into communication with a clergyman named Perry, and I believe that that gentleman did excellent service, and did his best to get at the truth. Mr. Perry seems to have got a confession from two men, and I commend this gentleman for having obtained it, although I must say I think he was rather wanting in discretion in trying to make too much capital out of these men from a religious point of view. He not only got the confession for the sake of the release of the other men, but he paraded the men who confessed as Christian martyrs of the highest degree of virtue. They went about with petitions in favour of the two men in prison; they were petted and *fêted*, and high teas were given to them, and they were induced to make a formal confession. From subsequent proceedings it appears that these men asserted most positively that they were induced to make their confession on a promise that they would not be punished. It seems, therefore, from their own account, that these men are not such high-class Christian martyrs after all, their confession having, as they say, been made in the belief that they would not be punished. They are very much aggrieved that they have received punishment. They do not seem satisfied with immunity from punishment hereafter, but think they ought not to have five years' penal servitude in this world. These men having confessed, their confession involved the existence of a gross conspiracy on the part of the local police, and it seems to me that there ought to have been a thorough and complete inquiry into all the circumstances. It was within the power of the Judge who tried the case to have insisted that there should be a full inquiry notwithstanding the confession of these men. The Home Secretary only made a private inquiry, and upon the strength of that inquiry he awarded Brannaghan and Murphy £800 each. I consider that under any circumstances the compensation awarded is excessive, and especially so when it was given without the case having been probed to the bottom. A great many people believe that the confession was not a true confession, but the result of a conspiracy. The people in the locality assert that there is not much to choose between the first two men and the second two—that they are all notoriously bad characters—and that it is possible that the hope of getting a portion of the compensation money induced the confession. It is not true that the men who made it were told that if they only confessed they would escape all punishment. It would have been very much better if the Judge, instead of accepting the plea of guilty, had insisted on going into the evidence, and had not left the matter to the action of the Home Secretary in granting a private inquiry. Subsequently, the Government's method of clearing up the matter was to charge the police with conspiracy and prosecute them on that charge. It is always a difficult matter some years afterwards to bring a case of this kind home to the guilty parties, and again, in regard to the conduct of the police in the matter, it appears to me that in connection with the trial of these policemen there has not been a real and a thorough inquiry. The two most important witnesses who could have thrown light upon the subject were not called—the lawyer who first obtained a clue to the confession, and the clergyman, the Rev. Mr. Perry, through whose means the confession was obtained. Mr. Perry was subpœnaed, but never examined, the prosecution apparently thinking that prejudice might be thrown upon the case in consequence of the religious element

which had been introduced into it. I have no hesitation in saying that in the public interest Mr. Perry ought to have been examined, and the whole case gone into thoroughly. The Judge in his charge took a very strong view adverse to the case of the prosecution, and indicated his opinion that the allegations had not been made out. I certainly think a very great injustice was done to the Rev. Mr. Perry, who was not called, when the Judge most plainly cast upon him an extremely offensive aspersion, on the strength of what was said by one of the burglars who came forward to give evidence. The Judge suggested that it was a very great pity that a man in the position of the Rev. Mr. Perry should have tried to extort a confession by the suggestion that if the man confessed he would be relieved from a charge of murder which he was alleged to have committed some time previously. The result was that after the Judge's Charge at the trial, the police were not only acquitted, but were acquitted triumphantly, and actually had an address written on vellum voted to them by the Magistrates. My opinion is that the right hon. Gentleman the Home Secretary is probably right in believing that the police concocted the case, which was a very serious one; and it is to be regretted that there was not a thorough investigation by which the real facts could have been made apparent. I also think it is dangerous in a case like this to give a very large amount in the shape of compensation. The moral I draw from the case is that we are bound to entertain very considerable doubt as to the excellence or superiority of our police system and our method of police administration, and, in addition to this, I think we cannot but regret the want of a system of public prosecution such as prevails in other countries. There are certain legal saws which are accepted in England almost as if they came from Heaven, and one of them is that the police system of this country is almost perfect, and I am sorry to see that the amount of prejudice which pervades the English mind on this subject is spreading to our possessions in other parts of the world, and has already manifested itself in India. In former days, the police in India were a judicial police, such as we see in France; but now that system has been changed, and the English system substituted, and it often happens that in cases before the Courts the Judge is apt to reverse convictions obtained by the police. Under the circumstances I have stated, and because I believe the compensation in the case under discussion has been excessive, I now move the reduction of the Vote by £600.

Motion made, and Question proposed, "That a sum, not exceeding £1,748, be granted for the said Service."—(*Sir George Campbell.*)

SIR J. SWINBURNE (Staffordshire, Lichfield): I hope my hon. Friend will not persist in his Amendment, because, in my opinion, the whole case is surrounded with suspicion, not only in regard to the men who have been released, but with reference to those who are now in prison. There is a very strong feeling in the part of the country in which the occurrence took place that the boots were taken and pressed into the ground before the casts were made; and I would suggest to the right hon. Gentleman the Home Secretary whether it would not be well to take into consideration the propriety of releasing the men who are now in prison. It is known that there is a strong feeling on the part of the police in regard to a comrade who was murdered a few months before; and there is a prevalent belief that to a great extent the evidence in the case against the men was concocted,—that, in point of fact, there was a conspiracy on the part of the police, and more particularly on the part of an Inspector, who is now dead. The whole thing is tinged with a suspicion of perjury as against those men who are supposed to have taken part in the murder of a few months before, and who are now in prison on their own confession. I hope my hon. Friend will withdraw the Amendment, and that Her Majesty's Government will take into their serious consideration the advisability of releasing those men before the expiration of their sentence of five years' penal servitude.

SIR G. CAMPBELL: I do not want to press the case further, except as to one point. I do not think the Government are acting very decently in not saying a word on this question. The case is certainly an extraordinary one, and, in justice to the clergyman who has been

referred to, I do ask Her Majesty's Government to say there is no justification for imputing to him the conduct which has been alleged against him. I believe there is ground for relieving him of the imputation.

*THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Hallam, Sheffield): The Committee should understand that, at the trial of the policemen, the two men now in gaol (Egdell and Richardson) were themselves called and cross-examined, and they then voluntarily incriminated themselves as to their share in the transaction referred to. At that trial the evidence of the clergyman as to Egdell's and Richardson's confessions would not have been admissible, and accordingly he was not called; and consequently, anything that may have been suggested against him ought to be discounted by the recollection of that circumstance. I am glad that, upon the whole, the hon. Gentleman the Member for Kirkcaldy (Sir G. Campbell) thinks that the balance of probability is in favour of the supposition that the right result was arrived at.

DR. CLARK (Caithness): I only rise for the purpose of suggesting that inquiry should be made by the Home Office into the action of the Magistrates, and as to whether any conspiracy really existed. As it is, the whole matter is in a very unsatisfactory position.

Motion, by leave, withdrawn.

Original Question put, and agreed to.

12. £1,859, Repayment to the Local Loans Fund.

13. £4,507, O'Reilly Dease Estate.

14. £1,885, Crofters' Colonization (Advances in Aid).

DR. CLARK: I think we ought to have an assurance that there shall be no more money spent in sending out crofters and cotters during the present year.

MR. J. P. B. ROBERTSON: This money is required under what was previously resolved upon, and no further expenditure will at present be called for.

Vote agreed to.

REVENUE DEPARTMENTS.

15. £4,752,553, to complete the sum for Post Office.

MR. HENNIKER HEATON (Canterbury): I only heard this morning that the Post Office Vote would be submitted to-day, and I think we have some cause to complain that there should have been so little notice. I shall, however, endeavour to deal with those matters on which I think it necessary to comment, and, in the first place, will direct attention to home matters. Numerous complaints have been made to the Postmaster General with regard to the charge for halfpenny post-cards. These post-cards, instead of being sold at one halfpenny each, are now sold at three farthings. Four years ago, I directed attention to the matter, and the answer I then got was, that the post-cards could not be sold at less than three farthings, because of the expense of the Stationery Department and the large sum that had to be paid to Messrs. De la Rue & Co. Nevertheless, I set to work on the matter, and, after many evasions, managed to rouse public attention to the De la Rue contract, with the result that, not only was that contract determined, but a saving of £40,000 or £50,000 a year was effected. It might have been expected that we should get post-cards at their faced value. The Postmaster General now sells them at 10 for 6d., instead of 9 for 6d.; whereas, in every country on the Continent,—in France, Germany, and Austria, at least,—they can be purchased at their faced value. When I asked the Postmaster General why he did not introduce these cards at their faced value, he said there was a loss on the halfpenny postage, and he could not afford to take that course. Now, I assert that the halfpenny rate does pay, and there was evidence to that effect before the Committee which sat on the subject. It contributes to the three millions of profit that is made by the Post Office. The Postmaster General has admitted that the total cost of the delivery of a letter is one-eighth of a penny, or half a farthing. That estimate has been given again and again by previous Postmasters General; consequently, I say a halfpenny rate does pay. I would illustrate it in this way. An enormous number of news-

in England, and especially by India and other merchants.

"I am myself prepared to prove that a letter may be carried from any point of the globe to any other for 1d. at a profit; and that universal penny postage is fast coming within range of practical politics. But without entering into the wider question on this occasion, I have the honour to inquire whether your lordship, in the interests of the entire Anglo-Indian community, does not see some way of insisting that facilities at least equal to those enjoyed by Continental nations shall be granted to Her Majesty's subjects?

"On one occasion the Postmaster General argued that it was better that our newspapers for India should be posted in France, because, if they were posted at home, increased expenditure would be involved 'for sea conveyance from Brindisi to Bombay.' But under contract the Indian Mails are carried by the P. and O. Company for a fixed sum, irrespective of their bulk. Not only so, but in many cases the newspapers never leave French hands, are carried in French vessels, so that the English revenue receives nothing on the transaction. In the case of Ceylon, it was argued that Ceylon is in the Postal Union. But France also is in the Postal Union, and none the less charges 50 per cent. less for postage to this English Colony than we do. Lastly, the French, who charge 50 per cent. less on Eastern correspondence than we do, spend 50 per cent. more on subsidies to their packet services than we do. The amount voted by the French Government last year for mail steamship subsidies was 25,600,000f., or more than £1,020,000, as against £641,000 voted for mail packet services by Great Britain. Such facts speak for themselves.

"I have the honour to be, my Lord, your obedient servant,

J. HENNIKER HEATON.

"To the

Right Hon. Viscount Cross, G.C.B.,

Secretary of State for India."

Lord Cross replied, assuring me that he was very sensible of the anomalous state of things to which I drew attention, and that he would view with much satisfaction any reduction in the postal rates between England and India which could be effected without imposing any undue additional burdens upon the taxpayers of the latter country, whose interests he was especially bound to consider. He considered, however, that the matter was one in which the initiative should not be taken by him or by the Government of India. I then wrote to him as follows:—

"My Lord,—I have the honour to acknowledge the receipt of your letter of April 16th, 1889, on the subject of the existing high postal rates to India.

"I am much pleased to receive your assurance that you are sensible of the anomalous state of things to which I drew your attention, and that you would view with much satisfaction any reduction in the present rates. This expression of opinion will materially strengthen my hands.

"You, however, appear to consider that the initiative in remedying the evils of which I complain should not be taken by you, or by the Government of India, and therefore I infer you are of opinion that the first step should be taken by the British Government.

"Before addressing the Chancellor of the Exchequer and the Postmaster General on the subject, I venture to take the liberty of placing before you one or two facts immediately affecting the Indian Government and its finances, which I humbly submit may fairly be placed before Mr. Goschen and Mr. Raikes in supporting the case.

"Up to 1858 the subsidy for the Indian packet service was properly charged to the Admiralty, the mail steamers being regarded as an auxiliary naval power. For some reason, however, this was entirely altered, and on the Post Office was placed the whole burden, although the following protest was made:—'The claim that the Post Office should be charged with the whole expense of this packet or ocean service must be considered as barred by the simple fact that few of the mail packets were established either by the Post Office or for merely postal purposes, their expense being far beyond what such requirements would justify. To assume that these packets were really established for Post Office purposes is to charge the Government with the most absurd extravagance. The West India packets, for instance, were established at a cost of £250,000 per annum, though the utmost return that was expected from letters was £40,000, leaving the £200,000 a clear deficit.' (Post Office Report, 1863.) Subsequently a Select Committee of the House of Commons recommended that 'a fair proportion of the expense should be charged to the Admiralty, and that the Post Office should only be charged for the actual transmission of mails.' This recommendation has been ignored.

"When last year a fresh contract with the P. and O. Company was made, a saving of £107,000 a year was effected, making a total of over one million sterling in the ten years' contract. I would ask whether the Indian Government profited by, or was credited with, any proportion of this saving by the Chancellor of the Exchequer? I may say at once that I have failed to discover in any Parliamentary document any record of such credit to the Indian Government, which is still called upon as in former years to pay into the British purse, as its contribution to the mail service, the same amount as was paid before the saving was made, viz., about £63,000 per annum. I maintain that this saving of £107,000 a year would enable the Post Office to reduce the rates

for letters to India to the level of the French tariff.

"I have the honour to be, my Lord, your obedient servant,

J. HENNIKER HEATON.

"To the

Right Hon. Viscount Cross, G.C.B.,

Secretary of State for India."

I was then driven to address the Chancellor of the Exchequer, who told me he had sent on my letter to the Postmaster General. The letter was as follows:—

"36, Eaton Square, W.

28th May, 1889.

"To the Right Hon. G. J. Goschen, M.P.,

Chancellor of the Exchequer.

"SIR,—I have the honor to forward herewith a copy of the correspondence on the subject of the charges for postage to India and the British Possessions in the East, which has recently passed between the Right Hon. the Secretary of State for India and myself. You will gather from the tone of Lord Cross' letter of 16 April, that whilst he is fully sensible of the importance of the subject, he thinks that as it is one which primarily affects the British taxpayer, the initiation of any reform should not be taken by the Indian Government.

"I therefore venture to address you, as keeper of the Public Purse, and to emphasise the facts which I have so often quoted, showing how unfairly the English Community is treated as compared with Foreign Nations in respect to the charge for postage to India and the East.

"It will scarcely be denied that the freer and cheaper the means of communication between Countries the better it is for trade and commerce, and *à fortiori* every restriction upon intercourse must operate in a contrary direction. It is surely opposed to all the tenets of Free Trade, that a Manchester or Liverpool merchant should be handicapped to the extent of 50 per cent. in the matter of postage to India in favour of a merchant of Marseilles. Why should we in England have to pay 5d. for a ½-ounce letter to India or China, whilst from France or Germany the postage is 2½d.? It cannot be said that it is done for the sake of Revenue, because the whole amount of the receipts for postage to India amounts to no more than £63,000 per annum.

"But what is the effect of the present state of things? Letters and newspapers are now sent by thousands weekly to France, to be there posted at the lower rate, thus enabling the senders to pocket a considerable sum to the detriment of the English Post Office Revenue, for if the rates for England were reduced to the level of those for France, all these letters and papers would go direct through our post office, and the postage thereon would represent so much *clear profit*, as the mail steamers being subsidised, it matters not whether they carry ten tons of mails or ten pounds. Therefore, I contend, that from the point of view of revenue alone, the correct policy would be to lower the rates. I maintain, and I am fortified by the experience of the past, that so far from the effect of the postal rates being to decrease the revenue, the result will be a very large augmentation of the receipts owing to the increase of correspondence which will naturally follow.

"I contend also, that every saving effected in the Ocean Postal Service (and the economies of late owing to increased competition have been very great) should be in some measure at least devoted to the cheapening of rates.—Now on the last contract with the P. and O. Company to India and the East, there is a saving of £107,000 per annum, as compared with the previous one, or a total of over a million sterling in the ten years during which the contract has to run; yet I cannot find that India has profited to the extent of a single rupee by this arrangement, though the saving would allow of rates being lowered 50 per cent. and still leave a handsome surplus.

"The Post Office is most unfairly saddled with the whole cost of subsidies to Steam Companies, whereas the Admiralty should pay the greater part of this large charge, the subsidised steamers being in reality an auxiliary naval power for use in an emergency, and they have been actually so used.

"It is only within the last 30 years that this absurdity has been perpetrated, and though a select Committee of the House of Commons in 1888 reported strongly against it, the system still continues, and the Admiralty does not pay anything like its fair proportion.

"Were the proportions payable by the Post Office and the Admiralty equitably adjusted, as they should be, the profits of the Post Office would show a very large increase, and you would, I feel sure, be justified in consenting to a reduction of rates all round, which would satisfy the growing public demand for cheaper postage.

"I would call your special attention to the fact that the French Government pay in subsidies £400,000 a year more than we do for mail packet services, although their colonial possessions and their foreign trade is insignificant as compared with those of this country. For the maintenance of British Commercial Supremacy, it pays us to subsidise our splendid mail steamers.

"The surplus revenue derived from the Post Office now amounts to over £3,000,000 per annum, and whilst I do not propose that any of this should be touched, I think that the public should participate in any profit beyond this by the lessening of the postal rates which are admittedly excessive as compared with those of other countries.

"I have the honor to be, Sir,

Your obedient servant,

J. HENNIKER HEATON."

Now, Sir, I think this correspondence will show that the Post Office is not alive to the importance of keeping up communication with various parts of the Empire, and that it needs to be impressed with the

necessity of reducing the rates. So strongly am I impressed with the importance of dealing with the question, that I venture to challenge the Government to a Division upon it; and I am quite confident the House will not tolerate the continuance of this anomaly. The facts are so unanswerable that the Postmaster General himself admitted that the anomaly was one which he very much regretted, and in utter despair he said he must put all the blame on the Chancellor of the Exchequer. That has been the common practice of late years. On a former occasion, I ventured to say that the right hon. Gentleman was merely the managing clerk of the Chancellor of the Exchequer. That remark was considered by him to be offensive; but I wish to know why, if he has any power, he maintains this attitude of humble subserviency to everything the Chancellor of the Exchequer maintains. In Shanghai there are four Post Offices, one English, one French, one German, and one Russian. It will hardly be believed that the postage to England from the German, French, and Russian Post Offices is 2½d., whilst from the English office it is 5d. Letters reach me from Zanzibar which have been carried in our own steamers, but which bear French stamps, the French postage being 2½d. and the English 5d. The Postmaster General has taken no steps to remedy this extraordinary state of things. I know of one English firm which sends an enormous packet of letters to be posted in France every Friday morning for India, and English officers at Quettah and other places in India write to me to say that they receive their English newspapers stamped with French stamps. I do not think this sort of thing raises England in the estimation of our Indian subjects. There are 14 Colonies in the British Dominions, the postage to which is nearly 50 per cent. higher from England than from France, Germany, and Austria. For instance, I can send a letter to Australia from Hamburg for 2½d., and the lowest rate from London is 4d. The New Zealand postage is also deserving of mention. The Postmaster General advertises the postage by all-sea route to New Zealand at 4½d. Unless the sender, however, is very alert, he will have to pay 6d.; and if the letter weighs the sixteenth of a grain over half-an-ounce, the unfortunate receiver has to pay 1s. in addition to the 6d. paid in England. I am quite convinced that an ocean penny postage will shortly come into operation. The Conservatives opposed Rowland Hill, and I am afraid they are likely to make the same mistake in regard to this matter. I have asked the Government to grant me an inquiry as to whether an ocean penny postage is feasible, and as to the cost of establishing it. This modest request of mine has, however, been repeatedly refused by the Government. Sensible men would think that there could be no objection to such an inquiry. I am in a position to prove that ocean penny postage would only cost £60,000 a year more than we pay at present. I understand that the Postmaster General sympathises with the object I have in view, but I am told, on the other hand, that he is powerless to help me in the matter. Since 140 Members followed me into the Lobby in favour of an ocean penny postage, I have made inquiries in various parts of the country, and I have received letters and sympathy and encouragement from all directions. However much I may respect the Postmaster General in his private capacity, and however satisfied I may be with the way in which he has conducted his relations with me, I maintain that the course he has followed in the administration of the Post Office is unworthy of him.

*MR. WOODALL (Hanley): Before the right hon. Gentleman replies, I should like to point out that considerable dissatisfaction has been occasioned by the regulation which requires that the whole communication sent by circular post, while perfectly open to inspection, should contain "nothing in the nature of a letter." It is quite easy to understand how important it is from the point of view of those who are interested in the revenue to guard against such a latitude, which would, in effect, bring about a half-penny postage general. Many irritating conditions are, however, now imposed by the authorities at St. Martin's-le-Grand which might be done away with. One of these is that the employment of a very small explanatory communication is held to entail an additional charge. There is one other matter to which I wish to draw attention. Those who are accustomed to

travel to the East or to America have discovered that there are Post Office regulations which involve very serious inconvenience indeed. Letters addressed to persons on board a steamer at Queenstown or Brindisi are altogether lost to the travellers unless they are specially registered for delivery on board the steamer. This is, I am satisfied, a *bonâ fide*, a very irritating and often a very serious grievance, and I think the right hon. Gentleman will find it difficult to show that there is any justification for the regulation.

SIR R. LETHBRIDGE (Kensington, N.): I am unwilling to prolong this conversation unnecessarily, but I feel bound to say one or two words in order to endorse the statement made by the hon. Member for Canterbury (Mr. Henniker Heaton) with regard to the feeling which is, I may say, universal throughout India as to the postal arrangements between that country and this. Undoubtedly there are very serious difficulties involved in the question—difficulties for which my right hon. Friend the Postmaster General is in no way responsible. There are difficulties in connection with the arrangements made between this country and other countries, and which I have heard explained to the House. But I do trust I may appeal to my right hon. Friend to use his influence to the utmost to bring about some reform in this matter, and that I may appeal to Her Majesty's Government to back up the Postmaster General in that endeavour. British officers and English residents throughout India look upon it as an utter absurdity that papers should be received from London at such distant stations as Quettah actually bearing French stamps, and having been sent from this country to France to be posted. I believe the distinguished firm which is conducted by the hon. Member for Hull sends away every week a very large number of newspapers to France in order that they may be posted to India at a cheaper rate than is possible in England. I venture to think we might take some lessons from the stronger postal administration that prevails in France and other countries where the Post Office is not so entirely dominated by the Treasury as it is in this country. Of course it is necessary that the Treasury should look in the first place to the revenues of the country, but I do venture to think that in the matter of Indian correspondence that is carried to rather too great an extent, and that some kind of regard should be had to the convenience of trade between this country and India, and for strengthening those relations of friendship that ought to subsist between the centre of a great Empire like ours and its outlying Dependencies.

MR. HUNTER (Aberdeen, N.): I have to mention a matter with relation to Post Office administration at Aberdeen. In June last a vacancy occurred in the supervising class of the telegraphic staff at Aberdeen and it has not yet been filled up.

THE CHAIRMAN: The Telegraph is separate from the Postal Service.

SIR STAFFORD NORTHCOTE (Exeter): I have given notice of a Motion to move a reduction in order to raise a question in relation to postal orders, but now only offer a word of explanation why I do not press it. The hon. Member for Limehouse and others who claim to have been authors of the system desire to take part in the discussion, but are not here, not anticipating that the Vote would be reached so soon. I will therefore raise the question next Session.

DR. CLARK: Under their new contract the Highland Railway Company get £12,000 a year more than they did under the old contract, but some of the anomalies of which under the old system we had to complain have been corrected. Some 18 months ago the Highland Company offered to give all the facilities required for another £7,000, but this offer the Post Office refused, preferring to go to arbitration, and the result of that is that we are getting the old irregular service and are paying £12,000 more for it. Had the offer of the Company been accepted we should have had two mails to the North instead of one, for practically we now have only one. A mail leaves at 10 in the morning and another leaves at 8.30 at night, but the mail leaving at 10 only arrives at 5 the next evening, while the train leaving at 8.30 arrives only an hour afterwards. The same thing happens in the mails coming South: one departs at 12 at night and the other at

8 in the morning, but they arrive within an hour or so of each other. We might have had double mails and an accelerated service if the Postal authorities had only acceded to the reasonable offer of the Highland Company. It would seem to have been a reasonable offer, because Lord Derby, acting as arbitrator, awarded the Company £5,000 more. It takes about three days for a letter to come from the west of Ross-shire, Inverness, or Argyleshire, and the North. Between the arrival of the steamer at Strome Ferry and the departure of the mail train there is an unnecessary interval of two hours, then two hours and a half are taken to get to Dingwall, a distance of 53 miles; then the train arrives three quarters of an hour late for the mail to the North, and letters have to remain at Dingwall 24 hours. What we ask is, instead of waiting two or three hours at Strome Ferry, and instead of sending the mail on by a slow train at a pace that a Post Office gig would rival, let the service be accelerated so that it shall not take three days to communicate between the West or Ross and Caithness. In regard to my own county I have brought under the notice of the Postmaster General the fact that from Castleton, the seat of the great quarry industry, it takes two days and a half for a letter to be delivered from 12 to 16 miles to the West; it takes less time to deliver a letter addressed from Caithness to London, a distance of 800 miles. The Highland postal arrangements seem to be regulated on the principle of spending the greatest amount and getting the least amount of usefulness. A payment of half-a-crown a week would suffice to carry the mail-bag from Castleton to Thurso by coach, and then the mail would go forward without having to remain at Thurso for a night. What we complain of is that having brought the letters so far you allow them to be detained for 24 hours. I hope that the Postmaster General will be able to bring about a better arrangement of trains, and that the difference of half an hour in the arrival and departure of trains will not be allowed to remain the cause of 24 hours' detention of letters. I do not want to move any reduction of the Vote, but I hope we may have some satisfactory reply. There is another point that requires attention. Until recently a sorting-carriage used to run on to Helmsdale, but now that is discontinued at Tain, though the train runs on to Ross and Sutherlandshire. Why not carry on this sorting-carriage to the North, to Wick, and Thurso? It will not cost much, and the additional public facilities will be considerable. I hope, under the increased expense of the new contract, we shall have these delays and anomalies in the Postal Service removed.

MR. A. SUTHERLAND (Sutherland): The hon. Member for Caithness has mentioned a matter to which I intended to draw attention when the general discussion of the Vote was exhausted, and that is the withdrawal of postal facilities by which I think only my own constituents are affected to any extent. I mean the withdrawal of the sorting-carriage, which no longer runs on to Helmsdale, but stops at Tain. I think we have reason to complain of this at a time when a large increase is made in the subsidy to the Highland Railway Company. I am not complaining of that increase, but I do complain that concurrently with that increase there is a decrease in postal facilities. When we compare the subsidy to the Highland Railway Company with that paid to other Companies, when we find that the North British Company, for instance, receive £23 per mile, and the Highland Company £132 16s. per mile, I think we are justified, at any rate, in expecting that the postal facilities should not be less than before the increase of the subsidy by £12,000. I need not press the matter at length. It does not appear unreasonable to send on the carriage another 40 miles and bring it back next day. I am not aware that it makes any difference to the wages of the travelling sorters, but, considering the liberal manner in which the Post Office have treated the Highland Railway Company, I think the latter have treated the public rather shabbily, and I hope we shall have an assurance that some pressure will be put upon the Company by the Post Office. I do not blame the Post Office, I never did; but it is shabby conduct on the part of the Company, and it is absurd that any Company should be allowed to stand between the Department and public facilities. The Company have been

liberally treated, and all I ask is that, in the face of the increased subsidy, my constituents shall have the advantages they have hitherto enjoyed.

MR. SEXTON (Belfast, W.): I am sorry to have to lengthen the discussion of the Vote on a Saturday sitting, but I am under the necessity of stating the facts in relation to a matter I brought under the notice of the Postmaster General the other day, namely, the opening in transit of a letter addressed to me by the Acting Secretary of State for the United States. If the right hon. Gentleman has any of the curiosity as to the contents that seems to have actuated some of his subordinates, I may say that the letter was sent to me, as head of the Dublin Corporation, acknowledging a resolution of sympathy and a subscription in aid of the sufferers by the Johnstown floods. I have submitted the envelope to the right hon. Gentleman, and he, more of an expert than myself, not only admitted that it had been opened, but pointed out that the operation was conducted in such a bungling way that traces of a different gum to that originally used were found on the outside. Apart from the annoyance to myself, I do think that the seal of the Department of State of a friendly Power should have received some respect from the Government official. The Home Secretary said the other day that there had been no official authority given for the opening of letters, but that is an answer that may mean little or much; it is a statement that may apply to-day, but not to yesterday or to-morrow. I wish to ask the nature of the authority under which letters are opened in the Post Office, and the conditions under which they are opened, both here and in Ireland. I am far from regarding the Postmaster General as the chief sinner in the case, and I am, indeed, doubtful if he is a sinner at all. He does not issue the warrants; the warrants are addressed to him by another Minister overbearing his authority in relation to that secresy to which every man is entitled for his correspondence. But the right hon. Gentleman can answer me the questions, Who issues the warrants; whether the warrants are general or in definite terms; whether they are issued casually from time to time or for a definite period? Letters have also been opened addressed to my hon. Friend the leader of the Irish Party. My hon. Friend has assured me that his private letters, including a letter from his mother, who is living in America, are constantly opened in the post. Now I can imagine, perhaps, there was some reason for that a few years ago, but after what has transpired before the Special Commission I think our correspondence might be left alone, and that our private affairs might have that protection to which the humblest man is entitled. It is time that this mean and dastardly method of insult should cease. Before the Special Commission my hon. Friend's correspondence for a series of years has been subjected to a searching examination, and I think there are few politicians in the world who could say that after such an examination they would occupy such a high position as my hon. Friend. Not one letter sent, or reply received, was worthy of notice or comment by the tribunal. Similarly in regard to my own letters no question arose. Is this system of insult ever to end? Is it to go on for ever? I should, perhaps, not insist so much but for one circumstance. Although none of these letters were made the subject of comment, still there was a letter not needed for the elucidation of anything relevant to the inquiry before the Court, a letter to my hon. Friend, which was not only opened in the post, but copied, and this copy was afterwards produced as evidence on the part of the *Times*. The other day I asked for an assurance that if this system was to continue we should be afforded some security against the opening up of false charges upon copies of letters pigeon-holed for years until the writer lost all memory of the circumstances and the original was destroyed. Will any one say it is just or fair or tolerable under constitutional laws, that after years such a copy should be given in evidence when the persons who wrote and received the letter are no longer in a condition to protect themselves by ascertaining if the copy is correct or not? I think I am not asking too much when I say that at least the person whose letter is subjected to this treatment should have the opportunity of verifying the accuracy of the copy and have notice that he may preserve the original. But

surely, after the exhaustive examination to which our friendly relations have been subjected, the time has come when we may demand an assurance that this system of "Grahamising" shall be brought to an end. Passing from this, I am sorry to say that Post Office administration has created great dissatisfaction in Ireland. There is one point that may seem small, but it is important to the poor men whose interests are concerned. Town postmen after five years' service are entitled to a good-conduct stripe, which carries with it the payment of an additional shilling a week. But owing to the small number of these badges distributed there are men who have been ten and even twenty years in the service, and have not received the advantage to which, at the end of five years, they are eligible. And then I come to a graver question, and illustrate it by reference to a vacancy that occurred in the Belfast Post Office. These vacancies are filled up to a great extent by nominations by the Postmaster, and even when examinations are held,—and I believe they are often not held,—they are held not by responsible agents of the right hon. Gentleman, but by irresponsible persons attached to the Post Office itself. The examinations are not conducted under the conditions prescribed by the Civil Service Commissioners for the security of fair-play between the candidates. As Representative of Belfast I ask that appointments to the important Post Office there shall be filled up by the healthy system of free competitive examination held not by local persons, but by the Department or the Civil Service Commissioners, under conditions that will ensure fairness in the selection. I have also to complain that, notwithstanding repeated applications, vacancies are sometimes left for a long period unfilled, and I am sorry to add that, during the administration of the right hon. Gentleman, appointments to important and lucrative posts have been limited to one creed and to the supporters of one political Party. It is bad enough that Englishmen should be brought over to fill important posts in Ireland, while Irishmen do not receive promotion in England. The system has been carried so far now that persons who may be suspected of having any sympathy with the popular movement in Ireland are excluded from offices under the Government. I will mention one instance. A postmaster in Ireland, named Slack, died recently. He was not a Catholic, but a Methodist, and he was suspected of being a Home Ruler. He left a widow and two children. The inhabitants of the town sent to the Postmaster General a practically unanimous memorial soliciting the appointment of the widow as postmistress; she had previously been assisting her husband in the post-office. There were only two important persons who did not think it would be an advantage to give the place to the widow, and they were the landlord and the rector. I am informed that the right hon. Gentleman was at first of opinion that the widow was an eligible person, and that the office should be bestowed on her, but, in deference to the landlord and the rector, he turned the widow and her two children out of the place, for no reason apparently, except that though the lady's late husband had not laboured under the disadvantage of being a Catholic, he was supposed to be in sympathy with the National movement. I consider this is scandalous, and if it is now too late to remedy what has been done, I hope the right hon. Gentleman may be able to consider the claims of this lady with regard to some future appointment.

MR. J. ROWLANDS (Finsbury, East): I wish to ask the right hon. Gentleman whether there is any possibility of a reduction next year in the charge for extra-duty Clerks and Inspectors in the Post Office Savings Bank Department? This year the charge is about £8,500 for Clerks, and, including the Inspectors, it amounts to £10,200. I gather from the answers he has given to questions put by me this year that there is no justification for this expenditure on extra duty. The charge has been steadily increasing, and I wish to know whether he cannot employ an adequate staff and so put a stop to such expenditure. I think the Government Departments should, as far as possible, set the example of having as little overtime as possible. No doubt the right hon. Gentleman will say extra work is voluntary, but I should like to know how the officials in a Government Department would be treated if, when extra work was required of them, they

put their backs up and went home without doing what they were asked.

MR. O'DOHERTY (Donegal, N.): I wish to draw attention to the treatment of sub-postmasters. These men in Ireland work the same hours and perform the same duties as those in England and Scotland, and yet they only receive salaries of £10 as against £17 paid in England and Scotland. No doubt when the post-offices were established in Ireland men could be obtained at very low salaries, but the cost of living has very greatly increased since that time. They are now being starved, and the right hon. Gentleman is proving himself to be the head sweater of the three kingdoms, inasmuch as he is getting more work out of his servants and giving less money than any shopkeeper in the three kingdoms. I speak not only for Ireland, but for England and Scotland also. Every one knows the attention, the courtesy, and the wonderful efficiency displayed by these persons, and I say that they ought not to be limited to the miserable salaries they now receive. To turn to another matter, I find that a very strict interpretation has been put by the right hon. Gentleman and his advisers upon the rules respecting circulars in Ireland. Circulars are treated as letters if they have the smallest amount of written matter in them. At the same time the orders sent to the Co-operative Stores in London are treated by the Post Office authorities as circulars, although they are nearly all written matter. This is a clear case of a distant part of the country not getting the same attention as London. I cannot think that the Co-operative Stores, which are by no means popular, deserve to be so favourably treated, and I do not think they would be so treated if some of the Post Office officials were not connected with them.

THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): Although the discussion has covered a good deal of ground, I do not think the Department has any reason to complain of the general criticism that has been bestowed on it. The hon. Member for Canterbury (Mr. Henniker Heaton) brought against us several charges which, I think, in almost every instance, had been previously made in this House. I hope he will not think I am treating him hardly when I say I think he is a little ungrateful for what has been done with regard to the question of post-cards. I know that whenever you anticipate that anything you are going to do will be popular, you should be very guarded in formulating that anticipation. I must say, however, I did expect there would be a recognition of the great advantage which has been conferred on the public by the reduction which we have been able to make in the price of post-cards. The price was 8d. a dozen. We have now reduced it to 6d. for 10, which is a very considerable diminution in cost. I had rather hoped that some encomiums might have been passed on the more convenient multiple that has thus been adopted. It appears to me that the division of the cards into packets of 10, which are sold at 6d. per packet, is a very great simplification of the system. No doubt we still make a charge for material. We are not in a position to present the public with the material of the cards, particularly as we believe that the halfpenny post is carried on at a loss to the revenue. The whole saving, and rather more than the whole saving, effected by the new contract has gone out of the Exchequer into the pocket of the public. The hon. Member for Canterbury still questions the allegation that the halfpenny post is carried on at a loss. That statement was, however, made by the Secretary of the Post Office, who is, I suppose, better qualified than anybody else to express an opinion on the question. I admit it is only an opinion, but I think I am entitled to balance it against that of the hon. Member for Canterbury.

MR. HENNIKER HEATON: Will the right hon. Gentleman ask the Secretary of the Post Office for his evidence on the subject?

MR. RAIKES: The statement was made in evidence. My hon. Friend was present, and I do not think he cross-examined on the point. I do not suppose my hon. Friend would wish me to follow him into all the details of his speech, and it will perhaps be sufficient if I deal with the larger questions he has raised. I have already replied to his complaint that the public are not allowed

to obtain postcards without stamps. I have pointed out that it is necessary that the card should exactly conform to the regulations of the Department with regard to size and weight. Some hon. Member suggested that that objection might be got rid of if the Post Office would itself manufacture the cards, and supply them at a cheap rate. I do not myself see that any great advantage would be derived from that, because you might just as well go and buy stamped cards as buy unstamped cards and stamp them yourself. The hon. Member says we allow circular wrappers to have half-penny stamps affixed to them, quite irrespective of the shape or size of the wrapper. That is quite true, but in the case of circulars it is not a question of shape or size, but merely of weight. The hon. Member has also renewed the suggestion he has made more than once before, with regard to circulars in unsealed envelopes. I imagine that it is possible to carry out such a system in foreign countries in consequence of the lesser volume of their business. The servants of the Post Office in a French or German town are not so hard-pressed in the work of sorting as they are in our great industrial centres, and it is, perhaps, possible for them to give such envelopes the surveillance which they could not do in this country without a large increase of staff, and a consequent large increase of expense. That brought the hon. Gentleman back to the question as to the charges for re-direction which are imposed in this country, with regard to letters posted here, and not imposed with regard to letters coming from abroad. I think there should always be a charge for redirection. If the State is entitled to charge anything for sending a letter one journey it is entitled to charge for a second journey. We are unable to charge for re-direction in the case of foreign letters because we are not in a position to tax the foreigner. If we could, I should be extremely glad to put him in the same position in this matter as the British subject. We are, however, bound by the Convention not to impose on the foreigner any charge for a service which, under ordinary circumstances, I think we should be quite justified in charging for. Then the hon. Member raised the question of the coloured plates in the illustrated papers. I am always afraid of expressing any sympathy with the hon. Member's proposals because he makes so much of it when I do. I will say, however, that I shall be glad to look into the question of the coloured plates again. My hon. Friend laid more stress than I should have expected on the point respecting the 335 letter-sorters who have been dismissed during the year. I can assure him that, of all the duties which fall on me, perhaps the most painful is that of investigating charges against these humble servants of the public, and there is no part of my duty to which I devote more anxious care and attention than that of balancing the charges and the defences in cases of this description. I am always most anxious and ready to take the most lenient view I possibly can in matters of the kind, having regard to the interests of the Service. If the hon. Member were familiar with the archives of the Post Office, he would know that I have not erred on the side of severity. As the Postal Service consists at present of from 110,000 to 120,000 persons, the percentage of dismissals is not a large one. I am glad to say that our Service is distinguished by the best features which mark any Service. With regard to the heavy sentences which have been passed upon dishonest servants of the Post Office, I have lost no opportunity, where I could fittingly do so, of deprecating the passing of such sentences. I was rather surprised the other day to see that one of the Judges of the land had expressed the opinion in a case of this kind that he was not going to be dictated to by any Government Department as to the sentences he ought to pass. I entirely concur in that view, and so far from attempting to dictate to anybody on the subject, I have merely expressed an opinion in favour of a reduction of sentences. We come now to the question of the postal relations between England and India, and England and the Colonies. I do not propose to go into that question much to-day. It is a question for the taxpayer;

it is for this House to decide whether the country is prepared to make a sacrifice of revenue and to incur the additional cost of carrying on unremunerative services. It is rather hard that the Post Office should be thought to be determined upon high rates, thereby fettering the action between Great Britain and her Dependencies, as if we had a mischievous pleasure in action of that description. On the contrary, we have endeavoured to do our duty by carrying out the policy expressed by Parliament, that the State cannot afford to make any sacrifices in this direction; and when the House of Commons, representing the taxpayers, comes to that conclusion, of course the Department must give effect to its decision. When the time comes, I think it will be possible to show that a very great number of considerations enter into this question, apart from the convenience of persons who write letters. I can only repeat what I have stated before, that whereas the conveyance of a newspaper to India is an absolute loss to the State, yet the Revenue actually gains, because the newspaper posted in France is carried at a small profit. For the newspaper that goes from England to India we have to pay a tourist rate between France and Brindisi, but we receive postage from France for the completion of the journey; and I think the Revenue does not lose, but rather gains by that fact. Then the hon. Member for Stoke called attention to the question of circulars. The hon. Member for North Donegal also addressed the Committee on the subject of circulars. I frankly admit that the present regulations are full of anomalies and inconsistencies in regard to circulars. There is one main principle which I think should always be kept in mind, that a circular should be general in its nature, and a letter particular. A letter is something which only concerns a particular person, which contains some information or something personal to the individual to whom it is addressed; but the circular is a matter which is common to more than one person, and practically general in its character. I think that is the basis upon which we are bound to proceed. I quite admit that it is extremely difficult to reconcile this doctrine to our treatment of Co-operative Store advices as circulars; but I will make this matter, which is a very considerable one, the subject of careful consideration during the Recess. It is one which greatly interests the Friendly and Church Societies in this country, who have with very great patience and kindness refrained from driving the Post Office into a corner, though they have made constant representations on the subject. Sir, I shall be glad if we can arrive, in concert with the Treasury, at any decision which will enable us to proceed on a plainer and fairer system than the present system, which has been modified from time to time to meet particular demands. The other point referred to by the hon. Member for Stoke has relation to the letters addressed to persons who are about to leave this country by steamer going to South America, or from Brindisi to India. The mails may overtake their steamers. I believe the explanation of the particular case to which the hon. Member has called attention is that the letter was not registered. I think it will be seen that there is a justification for the registration. It is quite true that letters posted in the ordinary course arrive by the same train at Queenstown as the registered letters do, but if the steamer starts within half or three-quarters of an hour of the train's arrival, it would be absolutely impossible to sort out particular letters and send them on board. The Post Office has, therefore, reasonably required that letters intended to overtake passengers on board steamers should be registered. These registered letters are placed in a separate and special van, and are sent on board the steamers, at a moment's notice. Well, then, the hon. Member for Sutherland has pressed me again on the subject of the Highland Railway. I have considered that question, and I am quite sure the hon. Member will see that the liberality to which he referred has been entirely involuntary on the part of Her Majesty's Government. I regret as much as anybody can do the very large additional sum which the Umpire awarded to the Highland Railway Company. We believe that instead of the original contract sum having been increased it ought to have been reduced. Still, I believe that the sum which the Umpire awarded was £30,000 a year less than the Company

demanded. The hon. Member for Sutherland may rest assured that we will do our very best to bring all the pressure we can to bear in order to bring about a restoration of those facilities on which he laid so much stress. As regards the Strome Ferry post, I have had it before me more than once. I agree with what has been said, that great inconvenience exists in respect of the land correspondence. But the suggestions which the hon. Member has made are of so expensive a nature that we should not be justified in undertaking them, considering the smallness of the post.

DR. CLARK: Do you mean Strome Ferry?

MR. RAIKES: I mean the connexion between Strome Ferry and the places to the east of it. I can only say that I do see the anomalies and the inconveniences caused by the present arrangements, and I will consider them. Then I come to the question which has been brought forward by the right hon. Gentleman the Member for West Belfast, namely, as to the opening of letters in the Irish Post Office. I reply, categorically, that no person has been authorised to open any letter in any Irish Post Office since I have been in office. If any letter has been opened, it has not only been without the assent of the Government, but in flagrant breach of the rules of the Department. The Home Secretary has pointed out that no letter can be opened in this country except under his warrant, and no letter can be opened without the warrant of the Lord Lieutenant in Ireland. "The mean and rascally system," —to use the right hon. Gentleman's words, which I do not think at all too strong if the practice existed,—I can assure him does not exist. If letters are opened in Ireland,—as they are sometimes opened in England and other countries,—they are certainly not opened by the Government or by anybody authorised by the Government; and I can assure the right hon. Gentleman that, however susceptible he may have been to the impression that the Government have taken steps to interfere with his correspondence, there has been nothing done while the present Government have been in power which bears any relation whatever to, or any similarity whatever to, the process described by him as rascally. As to the letter which he handed to me, it undoubtedly appears to have been opened, and I will endeavour to discover where it may have been opened. But I will only remind the right hon. Gentleman that between his own countrymen and the Americans a good deal of interest would attach, as he rather admitted, to a letter passing between the President of the United States and the Lord Mayor of Dublin, and it is quite possible that some —one in America opened the letter— quite as likely as that someone in Ireland opened it. However that may be, I am not in a position to dogmatise at all upon the subject. As to the other letters to which he has referred, they also appear to have come from America, and it is just possible they may have been opened in America. I have nothing to add to the declaration I have now made, and I hope hon. Members will accept it as seriously and positively as I make it. The letters which have been brought to me certainly look as if they had been opened, and I will endeavour to make the best and fullest inquiries. If those inquiries are unsuccessful it will not be my fault nor the fault of those charged with the duty, and nobody will be better pleased than I should it be discovered that letters are being opened in the Post Office if the person opening them is brought to justice.

MR. SEXTON: Will the right hon. Gentleman state whether the warrants are general or particular which are issued from time to time?

MR. RAIKES: They are certainly particular. That I know. The warrant issued relates to the correspondence of some particular person, and, I think, some particular office too. I have never had anything to do with the issuing of warrants, and I therefore speak with very partial knowledge on the subject; but I will ascertain what is the kind of warrant issued. Reference has been made to the distribution of stripes. I

can only say that we award all the stripes at our disposal, and I only wish we had more to give. There is no delay in awarding stripes where they are merited, and the Post Office at least is not to blame if any disappointments are occasioned. As to the appointments in Belfast, the selection of candidates rests with the Postmaster. The examination papers are sent to him by the Civil Service Commissioners and are returned to them, and promotions are made by the Postmaster General on the recommendation of the Secretary. The Postmaster at Belfast does not make the appointments himself. I will look into this matter in reference to the desirability of the examination being conducted by somebody more directly under the control of the Civil Service Commissioners, and if I conclude that the examination should be conducted in that way, I shall be glad to give effect to that conclusion. The right hon. Gentleman brought some charges, which I hope I shall be able to live down, as to appointments being limited to a particular Party in Ireland. Persons obtain promotion in the Post Office free of all Party considerations. I do not think, so far as I can remember, that I have been aware of any person who has been appointed to any important position for any such considerations. The right hon. Gentleman will be glad to know that the Postmaster to whom he referred was offered another Post office of equal value, which, however, he did not accept. I have no knowledge of creed or Party politics in these matters, and I do not think Party politics run high in the upper branches of the Civil Service. The hon. Member for North Donegal approves of the system of these appointments resting with the Postmaster General instead of with the local Postmasters, but I think it would throw an With regard to the observations of the hon. Member for East Finsbury, I agree with enormous additional burden upon him. what he has suggested. Our position has been a very peculiar one. We have been awaiting the decision of the Treasury upon the Report of the Civil Service Commissioners, and the result has been that we have not been able to increase our staff. We thought it undesirable to create a greater number of appointments under the old conditions, and before the Government are in a position to bring forward a large and comprehensive scheme affecting the duties of their *employés* Though it is a late period of the Session, I hope that hon. Members will now allow the Vote to pass; and I shall be happy to answer other questions at a later stage.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I hope hon. Members will meet the appeal of the right hon. Gentleman by allowing the Vote to pass. Questions to which hon. Members desire to draw attention may be raised on Report.

*MR. CHANNING (Northampton, E.): I have a Motion on the Paper to which a certain amount of interest attaches, and I should prefer to have it taken at a time when it can be fairly discussed. The Report stage is usually taken at a late hour, when time for discussion is limited. I should like an opportunity to raise, in the briefest possible form on my Motion, a discussion on the subject of Sunday postal labour.

MR. H. CAMPBELL (Fermanagh, S.): I wish to say a few words on the reply of the right hon. Gentleman to the Lord Mayor of Dublin, in reference to the opening of letters addressed to my hon. Friend the Member for Cork. From my own personal knowledge, I can inform the right hon. Gentleman that letters belonging to the hon. Member for Cork have been opened repeatedly during the last two or three years, and opened in the most flagrant manner that it was possible to have opened them. The fact of the matter is, it was not thought necessary to seal them up again. That I can state as a matter within my own knowledge, and I do so now, deliberately, in reply to the right hon. Gentleman. But, Mr. Courtney, the opening of letters has not stopped here, because it would not have suited the Government and the right hon. Gentleman that it should have done so. They have gone further. They have gone so far as to open letters addressed to humble individuals like myself. My own letters, since the commencement of the proceedings before the Commission, have been opened constantly and deliberately, and have been detained in the Post Office for two and three days at a time.

*Mr. CHANNING : Do I understand that the right hon. Gentleman will grant time for my Motion ?

*Mr. W. H. SMITH : I appeal to the House to pass the Vote. There would be no advantage in taking the Motion of the hon. Gentleman, who can bring it forward at another stage.

Mr. SEXTON : Then we are to understand—accepting, as of course I am bound to do, the declaration of the right hon. Gentleman—that the opening of the letter addressed to me was not an act of duty, but an act of breach of duty. Therefore, in the case of a letter from so distinguished a person as the President of the United States, the act, in my opinion, was an insult to him, and I press for the discovery and punishment of the offender.

Dr. CLARK : I hope the right hon. Gentleman will give an opportunity for considering the question raised by my hon. Friend (Mr. Channing), and which engaged the attention of a Select Committee for over two years, the recommendations of which Committee the Postal Authorities have not seen fit to carry out.

*Mr. W. H. SMITH : I will take the matter into consideration.

Vote agreed to.

16. £484,405, to complete the sum for Post Office Packet Service.

Resolutions to be reported upon Monday next; Committee to sit again upon Monday next.

SUPPLY.

Resolutions [16th August] reported (see page 1512) and agreed to.

STEAM TRAWLING (IRELAND) BILL. (No. 335.)

Order for Third Reading read, and discharged.

Bill re-committed for Tuesday next.

PREFERENTIAL PAYMENTS IN BANKRUPTCY (IRELAND) BILL. (No. 319.)

Considered in Committee, and reported, with a New Title ; as amended, to be considered upon Monday next.

MERCHANT SHIPPING (PILOTAGE) BILL. (No. 312.)

As amended, considered.

Clause (Discretionary power as to number of pilots licensed,)—(*Mr. Flynn,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

*Mr. J. C. FLYNN (Cork, N.) : May I suggest, in moving the new Clause which stands in my name, that, if the number of pilots is to be unlimited, the amount of remuneration to be earned by each will be seriously reduced, and you will get an inferior class of men in the service. One result of that would be that the work itself would suffer. If the right hon. Gentleman the President of the Board of Trade will consent to this Clause, I should, of course, be willing to assent to any proposal giving necessary powers of regulation to that Department.

*Sir MICHAEL HICKS BEACH: I would suggest to the hon. Member to withdraw this Clause, as the matter can be better dealt with on Clause 3.

Motion and Clause, by leave, withdrawn.

Amendments made.

Further proceedings deferred till Monday next.

LEASEHOLDERS (IRELAND) BILL. (No. 179.)

Considered in Committee.

(In the Committee.)

New Clause proposed.

Mr. SEXTON : I notice that this Clause proposes to admit to the Land Courts certain leaseholders whose leases were executed between 1826 and 1832. Now, when we on this side of the House brought in a Bill to include these and other leaseholders, the Bills were opposed by the hon. Member for South Antrim and his friends, and I only rise now to express a hope that in the future they will profit by the better example we have given them in allowing the Bill to pass through Committee without opposition.

New Clause agreed to, and added to the Bill.

Bill reported; as amended, to be considered on Monday next.

House adjourned at a quarter before Six o'clock till Monday next.

HANSARD'S
PARLIAMENTARY DEBATES.

No. 14.] SEVENTH VOLUME OF SESSION 1889. [AUGUST 27.

An Asterisk at the commencement of a Speech indicates revision by the Member.

by Contract with H.M.'s Government.

HOUSE OF COMMONS,

Monday, 19th August, 1889.

QUESTIONS.

—o—

ELECTION OF GUARDIANS AT LOWESTOFT.

MR. BROADHURST (Nottingham): I beg to ask the President of the Local Government Board whether, having considered the Report of the Inspector sent to inquire into the alleged irregularities with regard to the election of Guardians at Lowestoft, on the 5th July, he is now able to state whether any action will be taken in the matter?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. RITCHIE, Tower Hamlets, St. George's): The Local Government Board have considered the Report of the Inspector on the inquiry with regard to the election of Guardians at Lowestoft, and have arrived at the conclusion that no valid election has taken place, and their decision to this effect has been communicated to the several persons interested.

THE SCIENCE AND ART DEPARTMENT.

DR. KENNY (Cork, S.): I beg to ask the Secretary to the Treasury whether he is aware that a new rule of the Science and Art Department, to be found at page 56 of the Directory of Science and Art, 1889, to the effect—

"That no pupil or monitor in a school under the Commissioners of National Education, Ireland, who has not passed the second examination of the sixth class can be presented for examination or registered in subject xxiv. principles of agriculture,"

is likely to affect most injuriously the teaching of agriculture in national schools in Ireland; whether this rule is within the powers of the Commissioners of Her Majesty's Treasury to withdraw or modify; and, whether, in view of the great importance of agricultural instruction in a country circumstanced as Ireland is, where agriculture is the chief industry, he will recommend the Commissioners of Her Majesty's Treasury to withdraw the rule referred to and revert to the former practice, whereby pupils who had passed into the fourth class were eligible for instruction in agriculture, making such other arrangements as they may consider necessary to avoid overlapping payments, to prevent which the new rule was introduced?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I find that the alteration in the rules referred to by the hon. Member was made by the Science and Art Department in consultation with the Commissioners of National Education in Ireland, and the matter does not appear to be one which has been before the Treasury, or with which the Treasury should interfere.

MR. SEXTON (Belfast, W.): Did not the Vice President of the Council promise some weeks ago in Supply to re-consider this question?

MR. JACKSON: I am quite aware of that; but no representations have been made to the Treasury, which cannot interfere with the business of another Department.

THE PROCURATOR FISCAL AT FALKIRK.

MR. BROADHURST: I beg to ask the Lord Advocate whether he is aware that the Procurator Fiscal at Falkirk is

also the legal adviser to the Carron Steamship Company; and, whether Procurator Fiscals are allowed to undertake private practice in cases which may come into conflict with the discharge of their public duties?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I am informed by the Messrs. Gair that while, on some occasions, they have acted professionally for the Carron Steamship Company, they are not its general legal advisers, and that in no instance do they undertake private practice in cases which may possibly come into conflict witht he discharge of their public duties.

IRELAND — PROBATE REGISTRY CUSTOM HOUSE, BELFAST.

MR. SEXTON: I beg to ask the Secretary to the Treasury whether it is a fact that the strong room of the Probate Registry Custom House, Belfast, is not fireproof; and, if so, what steps the Board of Works propose taking to have it made so, as it contains upwards of 20,000 original wills and other documents of importance; if it is true that the Board has been informed of the state of the strong room, and that nothing has been done; if it is true that the caretaker's quarters in the building, in which two children have recently died through improper ventilation, have been condemned as unfit for human habitation by a medical certificate, and if the Board of Works has been repeatedly appealed to on the subject; what steps the Board intends to adopt to make the quarters fit to reside in, or if no such steps are taken promptly will the caretaker be provided with quarters outside the building until it is made habitable; and, whether Mr. Travers, the Assistant Registrar, condemned the building in a recent Report to the Board of Works?

MR. JACKSON: The strong room of the Probate Registry Custom House, Belfast, is not fireproof; but arrangements have been under consideration to remedy the defect, and the necessary work will be carried out at once. Complaints were made of the insufficient light and ventilation of the caretaker's quarters in the Probate Office, and works are now being carried out with the view of improving them in these respects.

LAW AND JUSTICE—CASE OF MR. THOMAS BARRY.

MR. T. M. HEALY (Longford, N.): I beg to ask the Solicitor General for Ireland if it was with the sanction of the Government that Crown Prosecutor Rice attempted to induce the Magistrates who sentenced Mr. Thomas Barry, at Mallow, on 13th August, to three months' imprisonment, not to state a case on the legal question involved as to the application of the Act of Edward III.; and, will instructions be given to Crown Prosecutors not to attempt to throw obstacles in way of the raising of legal questions decided by Magistrates in the Superior Courts?

*THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): Mr. Barry was not sentenced to imprisonment, but was directed to give sureties for good behaviour, and to be imprisoned in default. When his counsel asked to have a case stated, the Sessional Crown Solicitor referred the Court to some decided cases on the subject. While the Government do not wish that obstacles should be thrown in the way of cases being stated for review by the Superior Courts, they are desirous that the Magistrates should be in every proper manner assisted by reference to cases already decided in those Courts.

MR. T. M. HEALY: Why should the desire to have a case stated be obstructed by the Crown Prosecutor?

*MR. MADDEN: I understand that a question of law arose as to whether in this particular case there was power to state a case. There was no obstruction on the part of the Crown Prosecutor.

MR. T. M. HEALY: What question of law could arise?

*MR. MADDEN: The question, as I understand it, was decided by the Magistrate in favour of the prisoner—namely, whether a case could be stated under the Act when the sentence was to find bail for good behaviour.

MR. T. M. HEALY: The statute provides that the Magistrate is to determine the case. What question of law could arise?

*MR. MADDEN: I have stated what the question of law was, and also that it has been decided in favour of the prisoner.

MR. T. M. HEALY: Will the hon. and learned Gentleman circulate among

the Resident Magistrates Mr. Baron Dowse's observations on a sentence of three months' imprisonment in default of giving security for good behaviour?

*MR. MADDEN: It is no part of the duty of the Government to circulate opinions of that kind, or to advise Resident Magistrates as to the mode in which they shall perform their judicial functions.

MR. T. M. HEALY: Is it not the duty of the Crown to communicate with the Crown Prosecutor?

[No answer.]

POST OFFICE AT ENNIS.

MR. COX (Clare, E.): I beg to ask the Postmaster General whether a site has yet been determined on for the new Post Office in Ennis?

*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): I have decided to seek the authority of the Treasury for acquiring the site referred to in my previous answer (27th of May last) for the proposed new Post Office at Ennis; but questions have arisen on one or two points—mainly in regard to the extent of the building—and the matter cannot be finally settled until these have been decided. The necessary inquiries are now being made, and will, I trust, soon be completed. The proposed site is in Bank Place, and is offered by Mr. Michael Rynne.

THE CLONGOREY ESTATE.

MR. CAREW (Kildare, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is the fact that the Relieving Officer for the Clongorey district was on 6th August served with notices that five families on the Clongorey estate, against whom decrees for possession of their holdings were obtained at the Summer Assizes, are to be evicted; whether the evictions about to be enforced owe their origin to the non-payment of arrears of rent which accrued due before the fixing of judicial rents; whether Mr. Barrington, the valuer appointed by Judge Darling, the County Court Judge of County Kildare, reported recently that, in his opinion, the rents on the estate should be reduced by 29½ per cent; whether the original demand of the tenants was 30 per cent abatement, and the abatement offered by the landlord 10 per cent; whether Judge Darling, acting on this Report of his Court valuer, asked the agent in open Court at the last Quarter Sessions at Naas to consent to grant the reductions recommended and "wipe out the arrears altogether," and, on his refusing to do so, whether the Judge stayed the execution of the decrees until May 1891; and, whether having regard to these facts, he will permit the forces of the Crown to be employed in carrying out these evictions?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I am informed that the answers to the first five paragraphs are in the affirmative, though I presume there would have been no arrears on non-judicial rents had the tenants taken full advantage of the Act of 1881. The evictions could not take place if the executions of the decrees were stayed.

MR. MAC NEILL (Donegal, S.): Is the right hon. Gentleman going to use the forces of the Crown in carrying out these evictions?

MR. A. J. BALFOUR: Of course, the support of the Crown will be given wherever it is found necessary to carry out the law.

BERNE LABOUR CONFERENCE.

MR. BROADHURST: I beg to ask the Under Secretary of State for Foreign Affairs whether he can inform the House of the date of the meeting of the proposed International Congress on the hours of labour?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The Swiss Government have proposed that the meeting of this Conference shall be postponed until the spring of next year, but they have not yet specified the date when they propose that it shall assemble.

MR. BRADLAUGH (Northampton): Will it be possible to lay on the Table of the House before we separate the Return ordered some time ago upon this question as to the regulation of hours of labour by law in European countries?

SIR J. FERGUSSON: I do not know whether the correspondence is complete, but I will make inquiry. We have received a great many answers.

MR. CONYBEARE.

MR. WILLIAM M'ARTHUR (Cornwall, Mid, St. Austell): I beg to ask the

Chief Secretary to the Lord Lieutenant of Ireland whether the doctor of Derry Gaol has reported that Mr. Conybeare is suffering from skin disease contracted in that prison; and, if so, whether he will take immediate steps for the amelioration of his condition?

MR. A. J. BALFOUR: I understand that the affection of which Mr. Conybeare has complained is in no sense serious, and that it has been promptly dealt with.

MR. W. M'ARTHUR: In consequence of the answer I have received I beg to give notice that at the close of the questions I shall ask leave to move the adjournment of the House.

THE ROMAN CATHOLIC MAGISTRATE AT ANTRIM.

MR. TUITE (Westmeath, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will give the name of the Roman Catholic Magistrate who attends at Antrim Petty Sessions; at what place and in what Petty Sessions district does he reside, and what distance is his residence from the town of Antrim; and whether he will state how many times during the last 12 months this Magistrate attended at Petty Sessions in the town of Antrim?

MR. A. J. BALFOUR: I have received no Report.

THE STATUTE OF EDWARD III.

MR. FLYNN (Cork, N.): I beg to ask the Solicitor General for Ireland whether he has seen the reports in the Cork papers of the 14th instant, from which it appears that two men named James Keane and John Moloney were summoned at the Fermoy Sessions on the 11th instant, under a Statute of Edward III., calling on them to show cause why they should not be bound to keep the peace; and if he can state why these summonses were not brought under the ordinary law?

MR. MADDEN: I am informed that the cases referred to in the question were heard on the 12th, not the 11th instant, and that the application was for sureties for good behaviour under the Statute referred to. The summonses were issued by the police under the Statute with the approval of the Divisional Commissioner, because, in his opinion, the acts of which the defendants were accused were of such a character as to come within the provisions of the Statute.

MR. FLYNN: Were these summonses issued with the approval of the Attorney General?

MR. MADDEN: I rather gather from the statement made to me that the matter was not brought before the Attorney General; but I will make inquiries, if necessary.

CONSTABLES BIDDING AT MARKETS.

MR. FLYNN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the reports of a trial at Fermoy Sessions on the 11th instant, under a Statute of Edward III., from which it appears that Police Sergeant Dallas stated in evidence that he was a detective cattle buyer, and that he was buying cattle in the discharge of his duty; is it compatible with Constabulary duty that policemen should buy or deal in cattle; and, whether such duties are imposed by the Government?

MR. A. J. BALFOUR: It is the case that the sergeant was employed as a cattle dealer with a view to detect persons engaged in an unlawful attempt to prevent the sale of cattle belonging to boycotted persons or raised on evicted farms. It is the duty of the Constabulary to take all proper and necessary steps for the detection of unlawful acts.

MR. FLYNN: In the event of a constable buying cattle, out of what public fund does the money come?

[No answer.]

MR. MACNEILL: Is it not one of the rules in the Constabulary that no Member of the Force shall engage in trade?

MR. A. J. BALFOUR: I am not aware whether it is a rule or not; but if it is it was not broken on this occasion.

REVISING BARRISTERS.

MR. M'CARTAN (Down, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, with reference to the appointment of assistant barristers for revising the lists of Parliamentary voters in Ireland this year, whether he is aware that, in almost every instance, the Liberals who were appointed to the office in the years 1885, 1886, and 1887,

were dispensed with last year, and supporters of the present Government appointed instead; and, whether, in making appointments for the coming revision, due consideration will be given to the desirability of appointing a number of barristers who are independent of Party politics?

MR. A. J. BALFOUR: I am not aware that the facts are as stated in the first paragraph. But in making these appointments due regard will be had to the qualifications of the various candidates for these posts.

MR. M'CARTAN: Will the right hon. Gentleman make further inquiry?

MR. A. J. BALFOUR: I have answered the question on the Paper. If the hon. Gentleman desires more information I shall be glad to make further inquiry.

THE SPECIAL COMMISSION—THE CONVICT WITNESS TRACEY.

MR. J. F. X. O'BRIEN (Mayo, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Head Constable Preston, of the Royal Irish Constabulary, was, on behalf of the *Times*, allowed to visit the prisoner, Thomas Tracey, when brought over to Millbank Prison as a witness for the Special Commission; whether Head Constable Preston saw Tracey in a room without the presence of a warder; and whether he will now allow a similar visit by the solicitor of the hon. Member for South Mayo, who is one of the persons charged by the *Times* before the Special Commission, and against whom, it is alleged, the agents of the *Times* sought to induce Tracey to give evidence?

MR. A. J. BALFOUR: I have already stated to the House, in a previous reply, that it is the case that Head Constable Preston visited Tracey in prison. The visit was not on behalf of the *Times*, but at the request of the prisoner, and, as already stated, in the presence of the chief warder in charge of the prisoner. Applications to visit prisoners should be addressed to the General Prisons Board.

MR. MACNEILL: Under what power had this constable a roving commission to visit prisons in England, and was he paid for his visit?

MR. A. J. BALFOUR: I must ask the hon. Gentleman to put the question on the Paper.

MR. M'CARTAN asked the right hon. Gentleman if he was aware that Head Constable Preston visited the prisoner as agent to Mr. Soames; and is he aware that on Friday morning last Tracey was removed from Belfast Gaol to Clonmel, and was refused permission to see his solicitor?

MR. A. J. BALFOUR: I have no information in regard to the second part of the question, while with reference to the first the question has been sufficiently discussed in the House of Commons, and I would refer the hon. Gentleman to the reports in *Hansard*.

THE SPECIAL COMMISSION—THE BRITISH MUSEUM OFFICIALS.

MR. T. M. HEALY: I beg to ask the Secretary to the Treasury what leave, and in what months, did Messrs. Ellis and Birch, the officials of the British Museum subpœnaed by the *Times*, get in 1888?

MR. JACKSON: The following statement has been furnished to me by the authorities of the British Museum of the vacations of Mr. W. de Gray Birch and Mr. H. J. Ellis, assistants, in 1888. Mr. Birch 44 days, taken in the following months:—January, four days; February, four days; March, one day; April, three days; May, one day; July, five days; August, seven days; September, six days; November, one day; and December, 12 days. Mr. Ellis 45 days, taken as follows:—February, three days; March, two days; May, four days; June, two days; July, three days; August, five days; September, 15 days; November, one day; and December, 10 days.

MR. T. M. HEALY: Will the hon. Gentleman state if all other officials get six weeks' holiday?

MR. JACKSON: Of course, the hon. Gentleman knows I cannot answer that question offhand. I have inquired whether this number of days is the number to which these gentlemen are entitled, and I am assured that, under the rules, it is the correct number.

MR. T. M. HEALY: Will the hon. Gentleman ascertain whether these gentlemen can take their leave when they please?

MR. JACKSON: Yes. I believe it is very much to the convenience of the Department that that should be done.

THE LAND COMMISSION.

MR. M'CARTAN: I beg to ask the Solicitor General for Ireland whether he is aware that the Land Commission have recently made a new rule requiring certain appellants to state, within 14 days of the date of a notice served by the Commission on the appellant, the ground of appeal intended to be relied on, and intimating to the appellant that if the form sent by the Commission is not received within the period stated, or if the information supplied is not such as to satisfy the Commission, the appeal will be liable to be struck out of the list, and will not be listed again without a special order of the Court; whether this rule is intended to apply to all cases of appeal now entered for hearing; and, whether, considering that an appeal from the Sub-Commission or County Court is considered to be a rehearing of the case, the Land Commission is acting within its powers in enforcing such a rule?

MR. MADDEN: I have not yet received a Report, and must, therefore, ask the hon. Gentleman to postpone the question until to-morrow.

THE TEMPLETON AND HOPE ESTATES.

MR. PATRICK O'BRIEN (Monaghan, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that a large number of the tenantry on the Templeton and Hope estates in the Castleblaney Union, have had applications to have a fair rent fixed listed for hearing by the Land Sub-Commission for nearly two years, and which have not yet been heard; whether he is aware that the landlords of these estates are issuing ejectments against these tenants, with the purpose of depriving them of the right to have fair rents fixed; and whether he will cause the Land Commission to promptly afford facilities for hearing the cases of these tenants?

MR. A. J. BALFOUR: The Land Commissioners report that there are 15 cases on the Hope estate and 207 cases on the Templeton estate remaining undisposed of, and which were received at their offices before January 1, 1888. A Sub-Commission sat in Castleblaney last May, and disposed of all the applications from that Union received up to October 29, 1887. A Sub-Commission has been sitting continuously in County Monaghan since last September, and will continue to sit after the vacation, taking up the cases in the Castleblaney district in their turn. The Commissioners anticipate that if the Judicial Rent (Ireland) Bill, recently introduced, become law this Session, the outstanding cases will be disposed of with much greater expedition than is now possible under the existing system, where a hearing in Court is requisite for numerous cases in which the only question to be decided is that of the value of the land, which could be best ascertained on the spot without the necessity of the parties attending the Court. I understand that no ejectments are being issued on these estates, and that no attempt has been made to deprive the tenants of their right to have fair rents fixed.

PORTUGUESE RIOTS AT DEMERARA.

ADMIRAL FIELD (Sussex, Eastbourne): I beg to ask the Under Secretary of State for the Colonies whether, with reference to the Portuguese riots in May last, in Georgetown, Demerara, it is a fact that the commutation of the death sentence on a Portuguese, named Gonsalves, to penal servitude for life for the murder of his mistress, a woman of colour, was carried out by order of Her Majesty's Government at home, without reference to, or approval of, or concurrence with, the Government of the Colony, and without reference to the Judge who tried the case; and, if so, on what grounds was such an interference with the course of justice decided upon; and, whether, seeing that the serious riots which followed in consequence of such decision will cost the Colony about 100,000 dollars, this expense will be defrayed under the circumstances by Her Majesty's Government?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): This sentence of death was commuted by the Acting Governor of British Guiana, on the recommendation of the jury, who not only accompanied the verdict with a recommendation to mercy, but petitioned the Acting Governor to commute the

sentence. The Acting Governor was directed by the Secretary of State to give effect to the recommendation of the jury, and he has not expressed any dissent from it, though the Judge who tried the case did not concur in it. The commutation of the sentence appears to have caused dissatisfaction to the coloured inhabitants of Georgetown, and the riots which occurred some weeks afterwards, and which arose out of an assault committed by a Portuguese upon a coloured boy, may have been to some extent attributable to this feeling. The amount of the expense to the colony caused by the riots is not known, but it will not be defrayed by Her Majesty's Government.

THE BRITISH EMBASSY AT BERLIN.

MR. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for Foreign Affairs whether he has observed a Reuter telegram, dated 16th August, in which it is stated that the day being the anniversary of the battle of Mars la Tour, in which battle the 1st Dragoon Regiment of the Prussian Guards distinguished themselves by a brilliant charge, the officers of this regiment gave a sumptuous breakfast, at which the staff of the British Embassy were present and took a prominent part in the toasts that were proposed; and whether, in view of the fact that Her Majesty's Government declined to be represented at the opening of the French Exhibition this year, on the ground that the Exhibition was designed to celebrate the Centenary of the opening of the French States General in 1789, and that a difference of opinion might exist amongst Frenchmen as to the advantages secured to their country by the said States General, he will give directions that henceforward the staff of the British Embassy at Berlin be prohibited from attending festivals given by Prussian regiments to celebrate the anniversaries of German victories over France?

*SIR J. FERGUSSON: I have observed a report that Her Majesty's Chargé d'Affaires and the Military Attaché were present at a dinner given by the officers of the regiment of Prussian Dragoon Guards which has lately been distinguished by the name of the Queen. Their presence was a natural and graceful act, and the fact that the occasion was the annual celebration of the gallant part taken by the regiment at the battle of Mars la Tour gives it no political significance. The heroic conduct of the regiment on that occasion was a feat of arms of which all Germans are proud and which all nations may admire, irrespective of the history and results of the war during which it took place. The presence of the British officers does not appear to call for any special directions.

ENGLAND AND THE TRIPLE ALLIANCE.

MR. LABOUCHERE: I beg to ask the Under Secretary of State for Foreign Affairs whether he has seen in the *Times* of this morning an extract from the *National Zeitung*, stating—

> "It is believed in the best-informed circles that an understanding was arrived at at Osborne assuring an identity of policy between the Powers forming the Triple Alliance and England in European questions, and making provision for all the consequences of this policy."

I would also ask the right hon. Gentleman whether there is anything justifying "the best-informed circles" in entertaining this view?

*SIR J. FERGUSSON: The article in question is manifestly founded on pure conjecture. Its character is shown by the statement that "the arrangements made with the Salisbury Government will be adhered to by their successors." The reply that I gave to the hon. Gentleman on the 19th ult. remains in force—namely, that the action of Her Majesty's Government in the event of war breaking out will be decided, like all other questions of policy, by the circumstances of that particular time and the interests of this country. Her Majesty's Government have entered into no engagements fettering their liberty in that respect.

MR. LABOUCHERE: Do I understand the right hon. Gentleman to say that absolutely no communication took place on this matter during the time that the Emperor of Germany was in England?

*SIR J. FERGUSSON: I do not know what conversation took place during the visit of the German Emperor to Osborne. It is absurd to suppose that there was no communication.

VENEZUELA.

MR. WATT (Glasgow, Camlachie): I beg to ask the Under Secretary of State for Foreign Affairs whether the Government have now received any information with reference to the vessel of a British subject named Philip, of Trinidad, being chased by a Venezuelan revenue cutter, who threatened to shoot him, and made off with his boat and cargo, leaving him in a destitute condition on the uninhabited Island of Patos; whether a Government official sent to the Bocas to inquire into the facts corroborated Philip's statement; whether Philip's boat and cargo have since been sold in Venezuela; and, whether the Venezuelan cutter in question has since boarded and overhauled another vessel while in British waters; and, if so, whether the Government now propose to take any action in the matter?

*SIR J. FERGUSSON: A despatch has been received to-day from the officer administering the Government of Trinidad which substantially corroborates the statements contained in the question as to the seizure of a boat belonging to one Philip Jacobin, of Trinidad. As the officer despatched to make inquiries had not, however, concluded his Report when the despatch left, it was not certain what had been done with the boat, and the evidence was in other respects not complete. A Venezuelan revenue cutter has also since boarded a Venezuelan vessel, according to the first accounts, within British waters; the master of the vessel is, however, reported to have since declared that she was beyond the three-mile limit when boarded. Her Majesty's Government must reserve any decision as to their future action till they are in complete possession of all the facts. It is understood that a further statement was sent from Trinidad by the mail of the 17th instant.

IRELAND—GOVERNORS OF LUNATIC ASYLUMS.

MR. O'KEEFFE (Limerick): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if it is the intention of the Irish Government to nominate Governors on the various Boards of Lunatic Asylums in Ireland, in accordance with their circular issued last year seeking information for that object?

MR. A. J. BALFOUR: The scheme is practically complete, and it is proposed to publish the names shortly.

LAW AND JUSTICE—CASE OF TIMOTHY SHINE.

MR. CAREW (Kildare, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, whether his attention has been called to the information of Timothy Shine, published in the *Daily News*, of the 17th instant, and sworn at Newmarket Petty Sessions on the 16th instant, which alleges that a conspiracy to get up outrage and to murder Shine had been entered into between Sergeant Connolly (who is in charge of a police hut on the farm from which Shine was evicted) and a man named Jeremiah D. Murphy, who supplies the police with provisions; whether a summons was granted at Newmarket Petty Sessions against Connolly and Murphy on the charge of conspiracy; whether Colonel Aldworth, J.P., had previously refused to grant a summons in this case; whether it is intended to have the alleged conspirators tried at ordinary Petty Sessions or under the Criminal Law and Procedure (Ireland) Act; and, whether, pending the trial, Sergeant Connolly will be suspended from discharging the duties of a police officer?

MR. A. J. BALFOUR: This question was only put on the Paper on Saturday, and I have not yet been able to obtain satisfactory information with regard to it. I hope to be able to give an answer to-morrow.

THE SUCK DRAINAGE BILL.

MR. HAYDEN (Leitrim, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, considering the fact that any delay in passing the Suck Drainage Bill will have the effect of keeping a large number of people out of employment, of throwing back, and probably rendering useless, some of the works already carried out, and of accumulating interest; and, also, taking into account that the Third Reading of the private Suck Drainage Bill was carried by a very large majority, including the majority of the Irish Members, he will take steps to press forward the Bill dealing with the proposed grant?

MR. A. J. BALFOUR: The delay, perhaps the loss, of this and other Bills for improving the material prosperity of Ireland has not been due to any shortcomings on the part of the Government, but to the vehement and protracted opposition offered to them by a certain section of the House.

STAFF OFFICERS AND PUBLIC COMPANIES.

SIR GEORGE CAMPBELL (Kirkcaldy): I beg to ask the Secretary of State for War whether Colonel Sir F. De Winton now holds the office of Assistant Quartermaster General; whether he is also a director of the Imperial East African Company, which is now advertised and seeks to obtain a capital of £2,000,000; whether the directorship of that company is a paid office; and, whether an officer on full pay, and holding an important State Office, is allowed to accept paid directorships of companies?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): My answer to the first two questions is in the affirmative. This post is not inconsistent with Sir F. De Winton's work at the War Office, provided that it in no way interferes with his being able to devote all the time that is necessary for the efficient discharge of the duties of Assistant Quartermaster General. If it ever should so interfere he will be bound to give it up. Subject to this consideration, I should be reluctant to deprive the Imperial East African Company of the advice of one of the few men who are thoroughly acquainted with the district.

SIR G. CAMPBELL: The right hon. Gentleman has not answered the third question—whether the directorship is a paid office?

*MR. E. STANHOPE: I am afraid that I cannot answer it.

BUSINESS OF THE HOUSE—THE SCOTCH ESTIMATES.

MR. PHILIPPS (Lanark, Mid): I beg to ask the First Lord of the Treasury whether, in view of the great inconvenience caused to Scotch Members by the delay in taking some of the Scotch Estimates, the Government will endeavour to arrange that the Classes taken last this Session shall be taken first next Session, so as to allow an opportunity for adequate discussion upon them?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I exceedingly regret that any hon. Member should be subjected to inconvenience by the delay in the consideration of any part of the business. The hon. Member will see by a Return issued this morning that already 42 sittings have been given to Supply. When protracted discussion takes place, sometimes, I am afraid, out of proportion to the necessities of the subject, it is obviously impossible for the Government to make the arrangements which they would desire for the convenience of hon. Members. Under these circumstances I am afraid I am not able to come to any engagement for next Session.

DR. CLARK (Caithness): Will the Scotch Estimates be taken immediately after the Irish Estimates are disposed of?

*MR. W. H. SMITH: I am afraid that I cannot enter into any engagement. There are only four or five Scotch Votes remaining to be taken, and they will be taken in their order.

DESIGNS FOR MONEY ORDERS

MR. MACARTNEY: I beg to ask the Postmaster General whether his attention has been drawn to specimens of money orders designed by Mr. Alexander Downs, Post Office, Monkstown, Dublin, entered at Stationers' Hall, and submitted to the Postmaster General in July 1858; whether any communication from Mr. Downs was received by the Postmaster General in 1880, when the question of postal notes was brought before Parliament; and, whether, in the event of other claimants appearing, Mr. Downs' claims to priority will receive due consideration?

*MR. RAIKES: Yes, Sir; my attention has been drawn to Mr. Downs' case. I find that, by direction of Mr. Fawcett, Mr. Downs was informed, in reply to the communication which he addressed to the Department in 1880, that—

"Previously to the receipt of his suggestion a similar suggestion had been submitted to the Post Office, and that in bringing forward the proposed measures for the adoption of postal notes, the Department did not in any way avail itself of his plan."

To this I have only to add that I have myself seen letters addressed to the Department long before the year 1858, in which suggestions of the same kind have been made. It is not my intention to recommend any reward to any person for any invention in connection with postal orders.

FACTORY LABOUR IN INDIA.

MR. JAMES MACLEAN (Oldham): I beg to ask the Under Secretary of State for India when the Government of India intends to propose legislation in order to give effect to the Secretary of State's instructions for the amendment of the law regulating factory labour in India?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): No, Sir; I am afraid I can give no information upon this subject, because no communications have been received by the Government of India since the Secretary of States' instructions were forwarded.

THE INDIAN FOREST DEPARTMENT.

GENERAL GOLDSWORTHY (Hammersmith), for Sir ROPER LETHBRIDGE (Kensington, N.): I beg to ask the Under Secretary of State for India whether, in view of the great importance of the public interests safeguarded by the Forest Department of the Central Provinces, the Government of India have taken any steps to strengthen the staff of that Department; and, if so, whether the Secretary of State has accorded his sanction to those steps?

SIR J. GORST: The reply to both of the questions of the hon. Member is in the affirmative.

THE ULSTER CANAL.

MR. PATRICK O'BRIEN: I beg to ask the Secretary to the Treasury whether the Government, when handing over the Ulster Canal to the Lagan Navigation Company, took any, and what, guarantee (as suggested in Questions Nos. 737-740 in Proceedings of Committee on the Ulster Canal and Tyrone Navigation Bill), that the lock-keepers and labourers employed on the canal should be allowed either retiring allowance or pensions when incapacitated through old age or infirmity, to prevent them becoming chargeable on the poor rates; whether the Board of Works have recently received a claim for allowance from a lock-keeper, named Isaiah M'Quay, who alleges that he has been dismissed without pension by the Lagan Navigation Company, after 29 years' service, on the grounds of old age; and whether he proposes to cause the Board of Works to make any, and what, provision for this old servant of the Government; and, if not, will he explain on what principle the late superintendent of the Ulster Canal was provided by Government with a retiring pension of £240 a year, while servants of humbler grade were left with the poorhouse as their only alternative when the Lagan Navigation Company think fit to dismiss them as too old for their service.

*MR. JACKSON: No such guarantee as that referred to in the first paragraph of the hon. Member's question is implied in the replies given by me to the questions adverted to in Committee on the Ulster Canal and Tyrone Navigation Bill. I am informed that the Board of Works did receive an application from Isaiah McQuay, dated 8th March, 1889, but that, not having been advised of his discharge, they have made no representation to the Treasury in his behalf. The remainder of the hon. Member's question is based on an entire misapprehension, the Superintendent referred to having died before the transfer of the Canal.

MR. T. M. HEALY: Did we not distinctly understand from the hon. Gentleman that before the Government made over the Canal they would see that the lock-keepers and other poor old men were not discharged?

*MR. JACKSON: I understand that the man to whom the question refers has not been discharged.

MR. T. M. HEALY: He writes to say that he has been discharged.

*MR. JACKSON: That information differs from mine.

MR. A. O'CONNOR (Donegal, E.): Did not the hon. Gentleman when the matter was before the Commissioners assure the Committee that any existing interests in respect of pensions should not be lost or injured by reason of the transfer of the Canal from the Government to the company?

*MR. JACKSON: I should not like to answer a question of that kind without referring to the particular words

which were used; but as I have stated, according to the information supplied to me, this man has not been discharged, but has been offered a similar appointment. Therefore no question in regard to a pension can arise.

MR. T. M. HEALY: May I ask if the Government, in handing over this undertaking to a private company in March last, took no steps to look after the interests of their *employés?*

*MR. JACKSON: If the hon. Member desires further information, will he be good enough to put a Question on the Paper.

IRELAND—CASE OF JAMES KEANE.

MR. MAURICE HEALY (Cork): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the report of the prosecution against Mr. James Keane, at Fermoy Petty Sessions, in the *Cork Examiner* of the 14th instant, from which it appears that the following evidence was given against Keane:—

"Sergeant John Dallas, R.I.C., deposed that at a fair at Upton he went to buy some cattle from a man named Kenealy. He saw the defendant Keane, who pulled back his head and winked, and that he understood the defendant to mean that he did not want him to buy the cattle, and called a policeman and had the defendant arrested;"

and to the following Judgment of Colonel Longbourne, R.M., on the case:—

"I consider it a very suspicious case, but there is not sufficient evidence to convict. People should be very careful how they wink in these days;"

and, whether the police concerned will be warned against instituting prosecutions of this kind?

MR. A. J. BALFOUR: I have not seen the newspaper report referred to. The observations of the Presiding Magistrate are not correctly quoted. It is the duty of the police to institute proceedings in any case in which a person appears to have been unlawfully interfered with in pursuing a lawful calling.

MR. M. HEALY: In what respect is the report inaccurate?

MR. A. J. BALFOUR: As far as I know, the Magistrate, instead of making a general observation, as reported, made a reference to the particular case.

CASE OF MR. THOMAS BARRY.

MR. MAURICE HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the report of the prosecution against Mr. Thomas Barry, at Mallow Petty Sessions, in the *Cork Examiner*, of the 14th instant, from which it appears that Mr. Rice, the Crown Solicitor, in stating the case, said that there was no charge against Mr. Barry of any offence, but that he had been "associating with persons who were strongly suspected" of boycotting; and that, on this charge, Mr. Barry was sent to gaol for three months, in default of giving bail to be of good behaviour; and, whether he can state what the effect of giving such bail by Mr. Barry would be, and what course of proceeding on Mr. Barry's part would afterwards entitle the Crown to have the recognisance estreated?

MR. FLYNN: May I also ask whether this prosecution was sanctioned by the Irish Government; and, if so, is it their intention to persevere with prosecutions under this very old Statute?

MR. A. J. BALFOUR: I am not aware of the precise language used by the Sessional Crown Solicitor who conducted the prosecution of Mr. T. Barry at Mallow Petty Sessions. He was called upon to show cause why he should not be compelled to give sureties for good behaviour, under a branch of the law, no doubt ancient in its origin, but recognised and enforced by the most distinguished Judges of modern times. The Government did sanction this prosecution, and will, when necessary, enforce the branch of the law on which the prosecution was founded. The case is still pending, the Magistrates having decided to state a case for one of the Superior Courts.

MR. M. HEALY: The right hon. Gentleman has not answered the second paragraph of my question.

MR. A. J. BALFOUR: I do not think the hon. Gentleman can expect me to express an opinion on a point of law.

CASE OF MICHAEL WALSH.

MR. MAURICE HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the report of the prosecution against Mr. Michael Walsh,

at Fermoy Petty Sessions, in the *Cork Examiner* of the 14th instant, from which it appears that Constable Lane, R.I.C., while following a man named Maye, whom he had been told off to watch, met the defendant, who shouted out, "run on you ——." This was said in a jeering way, whereupon the constable caught him and asked his name, and that on cross-examination the constable said—

"If a man refused to give his name it might not be right to 'chuckle' him, but to use necessary violence;"

whether it is a fact that on this evidence the Magistrates sent the defendant to gaol for three months, in default of giving bail for good behaviour, and dismissed a cross charge of assault against the constable, Mr. Longbourne, R.M., in giving judgment, saying the constable was "perfectly justified" in anything he did; whether Mr. Longbourne is a Resident Magistrate of whose legal knowledge the Lord Lieutenant is satisfied; and whether it is the law in Ireland that if a person refuses to give his name to a constable, the latter can use violence for the purpose of compelling it to be given?

MR. A. J. BALFOUR: I understand that the constable demanded Walsh's name from him for having used insulting language to him while in the discharge of his duty. The man having refused to give his name in the first instance, the constable held him by his coat until he gave his name. He did not use any violence towards the man. When the case came before the Magistrates in ordinary Petty Sessions they considered the case proved, and to protect the constable from further insults they ordered Walsh to find bail for good behaviour. This he refused to find, electing to go to prison in default. In giving judgment, the Presiding Magistrate (Colonel Longbourne, R.M.), said that the Bench considered the constable justified in his action under the circumstances, as he was engaged on an important duty which did not admit of the delay which would have been occasioned by arresting the man and taking him to the Police Barracks, the usual course in such cases. Colonel Longbourne is not of the number of Resident Magistrates declared legally qualified within the meaning of Section 1 of the Criminal Law and Procedure (Ireland) Act.

MR. M. HEALY: Is it not the fact that the constable admitted his violence to the man?

MR. A. J. BALFOUR: I have not seen any report to that effect. It is not consistent with the information given to me.

TECHNICAL EDUCATION (WALES) ACT.

MR. THOMAS ELLIS (Merionethshire): I beg to ask the Secretary to the Treasury whether he will enable the Charity Commissioners to make inquiries into the endowments available for the purposes of the Intermediate and Technical Education (Wales) Act; and if so whether the work can be undertaken without delay?

*MR. JACKSON: The Treasury is awaiting a Report from the Charity Commissioners as to the actual advantages derived from the inquiry in one part of Wales which is now being held. Until that Report has been received the Treasury will not be in a position to decide whether the inquiry should be extended.

TELEGRAPH STAFF AT ABERDEEN.

MR. HUNTER: I beg to ask the Postmaster General whether a vacancy occurred in the supervising class of the Aberdeen telegraph staff in June, 1888; what is the reason of the delay in filling it up; and when a fresh appointment will be made?

*MR. RAIKES: I understand that a vacancy caused by the death of a clerk in the Aberdeen Post Office has not yet been filled up, and I have given instructions for the matter to be brought before me as soon as possible. I am unable to say what the cause of the delay has been at present.

IRELAND—DERRY GAOL.

MR. SEXTON: I beg to ask the Chief Secretary whether he will lay on the Table the Report of Dr. O'Farrell as to the sanitary state of Derry Gaol, and the health of the prisoners there?

MR. A. J. BALFOUR: I propose to lay a Report of Dr. O'Farrell on the Table as soon as possible, but it is not the confidential Report to which I referred recently. I do not think it would conduce to the proper conduct of official business that Reports of a private

character should be laid on the Table, but I hope that the Report I propose to furnish will give hon. Gentlemen opposite all the information they desire.

Mr. SEXTON: As we must take what we can get and be thankful, may I ask whether the Report will be circulated before the Prisons Vote is taken?

MR. A. J. BALFOUR: I am afraid that I cannot promise that, but I will do all that I can.

MR. CONYBEARE.

MR. MACNEILL: Has the right hon. Gentleman received a telegram addressed to him from Derry Gaol by Mr. Conybeare, and, if so, why is it that I have not received a telegram addressed to me at the same time?

MR. A. J. BALFOUR: I cannot account for the latter fact that the hon. Gentleman alleges. I have not received a direct communication from Mr. Conybeare, but I have received one from the Prisons Board, enclosing in it one addressed to me from Mr. Conybeare.

MR. CONYBEARE—MOTION FOR ADJOURNMENT.

MR. W. M'ARTHUR: I ask leave to move the adjournment of the House, in order to call attention to a definite matter of urgent public importance—namely, the condition of Mr. Conybeare's health.

*MR. SPEAKER: I feel bound to make an appeal to the hon. Gentleman. The hon. Gentleman gave notice that he intended to move the adjournment of House; but I must point out that the Irish Estimates, including the Prison Vote, are down for to-night, and I think it is quite contrary to the Standing Order to bring before the House in this manner the condition of the hon. Member for Camborne, however regrettable that condition might be, when, within a very few hours, it will be competent for any hon. Gentleman to bring forward the whole question. If the hon. Gentleman wishes to ask a definite question on the matter, he will be perfectly in order; but I must refuse to put the Motion he proposes to make.

MR. W. M'ARTHUR: I am sure that you, Sir, and the House, will allow me to say that I still feel bound to ask the leave of the Chair to make the Motion on account of the very serious illness of my hon. Friend and Colleague.

*MR. SPEAKER: Order, order! I definitely refuse to put it, as I think it would be an abuse of the Rules of the House. The discretion in matters of this kind must rest somewhere, and if it does not rest with the Chair, I do not know where it rests.

MR. PICTON (Leicester): I wish respectfully to ask if it has not been the custom of the House in past times to pay special attention to the condition of any prisoner who might be a Member of the House?

*MR. SPEAKER: I know of no difference with regard to the Standing Order between a prisoner who is a Member of this House and any other prisoner. I am obliged to comply with my plain and obvious duty.

DR. CLARK: May I ask the Chief Secretary whether, in view of the unsanitary condition of Derry Gaol, he will cause the hon. Member for Camborne to be moved to some other prison, the condition of which is such that a person can live in it?

MR. A. J. BALFOUR: I am not prepared to admit, from the information I have received, that Derry Gaol is in an unsanitary condition. Of course, I shall be prepared to make a full statement in answer to any charges hon. Gentlemen may think it necessary to bring forward in Committee of Supply.

MR. CHANCE (Kilkenny, S.): Will the right hon. Gentleman make arrangements to take the Irish Prisons Vote first?

MR. A. J. BALFOUR: I have not the slightest objection to do that if it is the wish of hon. Gentlemen from Ireland. My only object in arranging the Votes as they are at present was to suit the convenience of those hon. Gentlemen.

PUBLIC BUSINESS.

MR. BROADHURST: Do the Government propose to take the Technical Education Bill this evening; and if not, will it be made the first Order on another occasion?

*MR. W. H. SMITH: The Bill will not be taken to-night. I hope to put it down so as to give the House an opportunity of considering it in Committee;

but I cannot undertake to make it the first Order.

MR. J. ROWLANDS (Finsbury, E.): Is it intended to proceed with the London County Council (Money) Bill to-night?

*MR. W. H. SMITH: Yes.

SITTINGS OF THE HOUSE (EXEMPTION FROM THE STANDING ORDER).

Motion made, and Question put,

"That the proceedings on the Light Railways (Ireland) Bill, if under discussion at Twelve o'clock this night, be not interrupted under the Standing Order 'Sittings of the House.'"—(*Mr. William Henry Smith.*)

The House divided:—Ayes 138; Noes 41.—(Div. List, No. 318.)

MOTIONS.

CAITHNESS AND SUTHERLAND (EDUCATION GRANTS).

On Motion of the Lord Advocate, Bill to amend the Law in regard to Annual Parliamentary Grants in the Counties of Caithness and Sutherland, ordered to be brought in by the Lord Advocate and Mr. Solicitor General for Scotland.

Bill presented, and read first time. [Bill 384.]

SUPERANNUATION BILL.

On Motion of Mr. Jackson, Bill to amend the Acts relating to Pensions, Compensations, Allowances, and Gratuities to be made to persons in respect of having held office in the Public Service, ordered to be brought in by Mr. Jackson and Mr. Chancellor of the Exchequer.

Bill presented, and read first time. [Bill 385.]

PUBLIC WORKS LOANS [REDEMPTION OF ANNUITIES.]

Resolution reported—

"That it is expedient to authorise the repayment out of moneys to be provided by Parliament for Naval services, and, if and so far as those moneys are insufficient, to charge on the Consolidated Fund any sums advanced by the Commissioners for the Reduction of the National Debt to the Admiralty for the redemption of annuities to certain Railway Companies under any Act of the present Session to grant, money for the purpose of certain local loans and for other puposes relating to local loans."

Resolution agreed to.

Mr. W. H. Smith

ORDERS OF THE DAY.

LIGHT RAILWAYS (IRELAND) BILL (No. 378.)

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Bill be now considered."

MR. COSSHAM (Bristol, E.): I beg to move as an Amendment "That Standing Order 50 be suspended—that the Bill be re-committed to a Committee of the Whole House." I regret the necessity of having to make this Motion at all, because it will be necessary to trouble the House with some of the Amendments which ought to have been decided in the Committee. So far as I am personally concerned, I have no fault to find with the Chairman of the Committee, although I do object to the manner in which he treated the Amendments. I would ask the House to examine the difference between the Bill as it now comes before the House and as it was introduced. It has been reduced from a Bill divided into two parts and 46 clauses into a Bill containing only one part and nine clauses. Those features of the Bill upon which the Chief Secretary laid the most stress in moving the Second Reading have disappeared altogether. In fact, the changes made are almost as great as those effected in the Tithes Bill. The Bill is, in truth, a new and distinct one. It looks as though measures may be smuggled through the House without discussion at all. As the Bill was originally framed it introduced a principle for the establishment of which in Ireland I would gladly make large sacrifices—namely, the right of popular control over the expenditure of public money. That principle has vanished from the Bill. Then, the House were assured that most of the money would be advanced to Railway Companies already in existence. But now the promoter has come on the scene, and all the securities promised to the British taxpayer have disappeared. As the Bill stands now, it is proposed to hand over £600,000 of the taxpayers' money to be jobbed away all over Ireland. If there is to be the guarantee of a Local Body in Ireland there is scarcely a limit to the amount which I would be willing to

grant for the good of Ireland in compensation for the wrongs she has suffered in the past. But when I remember that of the 28 millions advanced to Ireland scarcely one-fourth has been productive of any real good to that country, I cannot but fear that the result will be most demoralising if this Bill passes in its present form. I think, therefore, that at this late period of the Session the Government will do well to withdraw the Bill and wait till another year. I protest against the course which has been taken, and beg to move the Resolution which stands in my name.

Amendment proposed, to leave out the words "now considered," in order to add the words "re-committed to a Committee of the Whole House,"—(*Mr. Handel Cossham,*)—instead thereof.

Question proposed, "That the words 'now considered' stand part of the Question."

MR. E. ROBERTSON (Dundee): As a Member of the Grand Committee on Trade who considered this Bill, I rise to support the Amendment. My experience of that Committee has convinced me that the Bill ought not to have been referred to that Committee at all. I went into the Committee with no preconceived hostility to the measure; on the contrary, I viewed it with a certain amount of sympathy. But it did not take me long to discover that the Bill was distinctly political and of a highly contentious character. The House will be astounded at the amount of change which has been introduced into the Bill. As originally introduced the Bill consisted of two parts. Part I. gave direct aid to Railway Companies, and Part II. contained special protective clauses with respect to promoters. Part II. has altogether disappeared. If that alone had happened there would not have been much to complain of, but the promoter for whom Part II. was intended has not disappeared, but has simply been transferred from Part II. to Part I. And the kind of aid which was, in the first instance, intended only for the Railway Companies is now to be given to the promoter, without any of the securities and safeguards which were originally provided. Besides this, we complain that this change has been effected without any real discussion in the Grand Committee. Fully one-third of the Committee felt obliged in the middle of the discussion of Clause 4 to withdraw in consequence of the rules laid down by the Chairman as to what Amendments were admissible and what not. Thus 16 pages of Amendments were passed over. That would be a sufficient reason for the formal re-committal of the Bill. The Chairman laid down Rules of Procedure which made discussion absolutely impossible. The Chairman refused to entertain any Amendment which, in his opinion, was hostile to the principle of the Bill. On one occasion he refused an Amendment because, in his opinion, it was not a fair and reasonable one. Then the Chairman would not allow discussion of any of the clauses as a whole. I am, however, bound to admit that on other occasions the Chairman allowed a certain latitude. On one occasion he put an Amendment to the Committee which, if carried, would have left the Bill in this position—"That Clause 3 shall apply to railways only, but the Committee decline to consider the Light Railways Bill further." At all events, the remarkable line of ruling adopted by the Chairman had the effect of which we complain; it drove one-third of the Committee from the room; it brought about the excision, without discussion, of four-fifths of the Bill as it was sent to the Committee, and it has caused to be presented to the House a Bill entirely different in character and scope from that which the Committee was appointed to consider. Besides that, I have to complain of the surreptitious way in which the Government brought about this change in the structure and character of the measure. This immense revolution was effected in the most quiet and unobtrusive way by an apparently harmless Amendment, moved without remark and accepted without observation by the Members of the Committee who represented the Government. The new Bill contains on the face of it a monument of what I may call the duplicity of Her Majesty's Government with regard to this Bill. The Amendment to which I refer was an Amendment to introduce in Clause 3 promoters whose case was provided for in Part II. Constantly we asked the Representatives of the Government, "Do you intend Part II. to be cut out of the Bill;" but we could get no information from the Solicitor General for Ireland on

the point. We continued the discussion as if Part II. was to remain an essential part of the Bill. The monument as to the character of the Government's proceeding is to be found in Clause 2, Subsection 2, which now says that—

"The Lord Lieutenant, by Order in Council, may from time to time declare . . . . that the Provisions of Part 1 and II. of this Act shall be applicable to such Light Railways . . . . . but the provisions of Part I. and II. of this Act shall not apply except to the Light Railways specified in such Order in Council aforesaid."

The complaint I make is that we were allowed to discuss Clause 2 on the theory that Part II. was to remain an essential part of the Bill, and that now Part II. has disappeared altogether from the Bill. I make no imputation whatever upon the Chairman of the Grand Committee. I believe he intended to be fair, and to do what he thought was best in the interest of the House and of the Bill. We only complain of an enormous error of judgment on his part, which has resulted in the proceedings of the Committee having become entirely nugatory, and in a serious blow having been dealt at the Grand Committee system. We do not say there is an appeal from the Grand Committee to this House, and we do not ask the House to pass a resolution condemning the Committee as a whole, or the majority of the Committee, or the Chairman. But we say there has been committed a mistake which this House is bound in fairness and in justice to all parties to rectify. There is a great deal more than the fate of this Bill involved. It appears to me that to some extent the future of the Grand Committee system is involved. I have never been strongly in favour of the system, otherwise than as accompanied by the most stringent securities and guarantees. I believe those securities and guarantees have been evaded, and evaded by what has taken place in Committee on this Bill; and I believe that if the Chairmen of other Grand Committees followed the course adopted in this case the Grand Committee system would completely break down. It would be absolutely fatal to the system if, for instance, the theory became established that it is the duty of the Chairman of a Standing Committee to push through the Bill that is before the Committee. That unquestionably was the theory which was at work in respect to this Bill. The system in the United States makes the Chairman absolute master of the Bills in his Committee, but I do not think this House would stand any such assumption of authority on the part of the Chairman of a Grand Committee. I should like, in support of the position we have taken up, to allude to the opinions formerly expressed in the House on this subject by two Members, each of them of high personal besides official authority. The First Lord of the Treasury will remember that in 1883 he expressed a very guarded and reluctant assent to the establishment of the Grand Committee system, and I know, by reference to his speeches, that if there was one point more than another in which he asked and obtained a pledge from the Government of the Day, it was that only non-contentious business should be sent to Grand Committees. There never was a more contentious Bill submitted to the House than this. The other Gentleman to whom I refer is the hon. Member for Bradford (Mr. Whitbread), whose authority on matters of procedure is unequalled amongst the ordinary Members of the House. That hon. Member, who was a supporter of the Grand Committee system, laid down the principle that the system could never be expected or desired to succeed unless discussion in the Standing Committee was to be as absolutely free as it is in Committee of the Whole House. Can it be contended that the discussion on this Bill in Grand Committee was as free as it will be if the Motion of my hon. Friend is accepted? I have much pleasure in supporting the Motion for the re-committal of the Bill.

*MR. BIGGAR (Cavan): I have not had much experience of the proceedings of Grand Committees, but from the little experience I have of them I am inclined to agree with my hon. and learned Friend the Member for Dundee. I have had much experience of the workings of Committees of the Whole House, and I must say I never saw the slightest attempt to conduct a Bill in Committee of the Whole House as this Bill was conducted in Grand Committee. I have no doubt the Chairman of the Committee acted within his lights, but, unfortunately, his lights were not very bright. A mad sheep is supposed to

be as dangerous an animal as there is. I will make an appeal to the Government. I suppose they are desirous that this Bill shall be as efficient as possible. I suppose that, so far as the original Bill was concerned, they thought they had drawn a Bill which would not give rise to much complaint either on the one side or the other; but I must confess that the Bill which has come from the Grand Committee is of an entirely different nature. In introducing the Bill the Chief Secretary for Ireland said it was intended that no part of a barony should be taxed under the Bill unless it got substantial benefit from the outlay. But in the Bill as it now stands the baronies lose the advantage of that provision. The same remark applies to many other provisions. What has occurred is this: we have got now a Bill sent back to this House which not only takes away all these safeguards and restraints on the cupidity of promoters, but deals much more liberally with ordinary promoters than with railway companies, although railway companies in many instances in Ireland would be able to fulfil any contract they might enter into. The promoters have full authority to go ahead though they may not be substantial people. Notwithstanding that railway companies are able to pay dividends and can show a tolerably large surplus after paying working expenses you impose stringent regulations on them, whilst you give promoters who may be of a remarkably shady character an entirely free hand. Nothing could better serve the purpose of the opponents of the Bill than its passing in its present form, because the promoters will be sure to be disgraced. If the Bill were referred to a Committee of the Whole House, I cannot see that its passage into law would be longer deferred than if the Government insist on pressing it forward just as it is.

*THE PRESIDENT OF THE BOARD OF TRADE (Sir MICHAEL HICKS BEACH, Bristol, W.): The question, as I understand it, now before the House is not so much the merits and principles of this Bill, as whether the House shall take the course suggested by the hon. Member for Bristol (Mr. Cossham). I think it will be at once admitted that the course suggested is a most unusual one. It is not going too far to say it is absolutely contrary to the intention of the House in appointing these Standing Committees. It is obvious that the intention of the House in appointing Standing Committees is that the Bills referred to them shall be dealt with as in Committee of the whole House, and that when the Bills have been reported to the House nothing more than the ordinary proceedings on Report stage should take place. I think even hon. Members opposite will admit that there must be exceptional circumstances to justify a Motion for the re-committal to a Committee of the Whole House of a Bill which has been dealt with by a Standing Committee. What are the special circumstances of this case? It has been argued that the Bill has been entirely changed and that it is practically now a new Bill; that in consequence of the alteration made on the Motion of the hon. Member for Dublin great opposition to the Bill originated in the Committee; and that, owing to certain rulings of the Chairman of the Committee, Amendments which arose from that opposition could not be moved and considered in the Standing Committee. What are the facts of the case? I will refer to the provisions of the Act of 1883, under which the Treasury was permitted to guarantee a dividend in connection with tramways or light railways. The Act of 1883 allowed the Treasury to guarantee a certain amount per annum, not exceeding half the amount guaranteed by the counties or baronies, and not exceeding 2 per cent, by way of repayment to the counties or baronies of part of the dividend guaranteed by them to the tramway company under the provisions of that Act.

MR. CHANCE (Kilkenny, S.): It was a provisional guarantee.

*SIR M. HICKS BEACH: No doubt it was. It was purely a provisional guarantee; and what has been the result? I will venture to say that if Parliament, when the Act of 1883 was passed, could have anticipated to what extent that provision would have failed, something more would have been done at that time. It has obviously failed, because only a small proportion of the annual sum which the Act of 1883 allowed the Treasury to guarantee has been guaranteed, though the object of the Act was, of course, that the full guarantee should be utilised in ex-

tending to the more remote and to the poorer parts of Ireland the benefits of the communication which the Act was intended to establish. Therefore the Government had proposed, in the Bill now before the House, to alter the system under which these Treasury guarantees were given. Why did that system fail? Mainly because it was an indirect guarantee. It was not so good or so marketable a security as if the Treasury had been permitted to give the guarantee directly. What is the proposal now before the House? In the first part of the Bill the Treasury were empowered to grant assistance to an existing railway company towards the construction of light railways by way of a free grant, a loan, or an annual payment. That assistance was to be direct. What was the further proposal of the Bill? In Part II. it was proposed that promoters, in other words a public company promoting a light railway, should also have direct assistance.

MR. CHANCE: By way of annual guarantee.

*SIR M. HICKS BEACH: Yes, by way of an annual guarantee not exceeding 3 per cent, and the Standing Committee to which this Bill was referred have made this alteration in that proposal, that they have allowed the Treasury not merely to guarantee an annual sum not exceeding 3 per cent to a public company promoting such a railway under the provisions of the Act of 1883, but also to assist by way of free grants or by way of loans. What is this enormous change which has thus been made by the Standing Committee? Hon. Members should reflect that the Treasury can borrow money at less than 3 per cent, and that, therefore, in allowing the Treasury to give a guarantee of annual interest of 3 per cent, the Bill had originally proposed to do in reality more than was provided by the Standing Committee. Is it the fact that this change in the Bill originated the opposition by which the measure has been met? If hon. Members refer to the dry records of the proceedings of the Standing Committee they will see the way in which the Bill was met long before the Amendment of the hon. Member for Dublin was proposed, which enabled the Treasury to give aid to these undertakings by way of free grants and loans, as well as by way of guarantee. I will not dwell upon the number of Divisions which took place, though I think there were something like 25 on the first page of this Bill. I will not dwell on the number of Amendments standing in the names of some hon. Members, by which the Notice Paper was crowded, long before we came to the Amendment of the hon. Member for Dublin, but I will remind the House of what happened on the first two clauses of this Bill. On the first clause, which merely recites that the Bill may be cited for all purposes as the Light Railways (Ireland) Act, 1889, a Debate was raised by the hon. Member for Cavan (Mr. Biggar) and the hon. Member for Sunderland (Mr. Storey) on the principle of the Bill. They attempted to go into details, and they actually divided against that clause being inserted in the Bill. What happened on the first line of the second clause, which simply says, "This Act shall not extend to England and Scotland"? The hon. Member for Sunderland, as an opponent of the Bill, and an economist objecting to inroads upon the public purse, proposed that the Bill should not be confined to Ireland, but should be extended to England and Scotland as well. And then, in spite of the elaborate machinery of the Act of 1883, and in spite of the proposals in the Bill, and still remaining in it, which gave additional security to the taxpayers that their money should be properly expended, the hon. Member for Sunderland gravely proposed in Committee—or at least concealed his laughter—that no light railways should be undertaken under the Bill until the plans and estimates had been first submitted to Parliament and a Vote taken for the grant proposed to be made. These were the kind of Amendments by which this Bill was sought to be defeated in the Standing Committee. Who were the Members prominent in that work? The hon. Member for Cavan—the leader of the Party—who on one clause sought to occupy the time of the Committee with a recitation of the sections in the existing Acts of Parliament which apply to the construction of tramways in Ireland—much after the fashion in which, when I was Irish Secretary in 1875, he

consumed four hours of the time of this House by reading through the sections of the Peace Preservation Act. The hon. Member was ably seconded in the Committee by his follower, the Member for Sunderland, and by the hon. Member for Newcastle (Mr. Craig). Speech after speech was made, and Amendment after Amendment, alike useless and unmeaning, was proposed. This Bill was met in a way which I can only fairly describe as a deliberate and avowed attempt to stop its progress, otherwise than by fair argument. The Chairman of the Committee, I think, is entitled to the gratitude of the House for the course he took with reference to these Amendments. I will venture to say that he acted on a principle which should be approved by every Member of this House who believes that our forms of procedure were intended to be used for the transaction of business and ought not to be abused in order to stop it. Her Majesty's Government believe that under the provisions of the Bill it will be perfectly competent for any Secretary to the Treasury to take ample means for safe guarding expenditure; we believe that the freedom given to the Treasury, greater, I admit, than it was in the original Bill, will be greatly to the benefit of the country, because it will insure that each scheme shall be considered and dealt with on its merits as may seem best to the Government of the day; and if the Government do not have regard to the interests of the taxpayers as well as to those of the districts to be benefited by additional communication they will be subject properly to the censure of the House of Commons.

MR. STOREY (Sunderland): The right hon. Gentleman has not conveyed much information to the House upon the points of contention raised by my hon. Friends. He has favoured us with a lecture upon our course of conduct here and elsewhere. I may venture to tell the right hon. Gentleman that if he would adopt a more suave and agreeable manner, and not lecture and bully us, we might listen more respectfully to what he has to say. My hon. Friend the Member for Dundee observed that this Bill had almost become a new Bill. To that the right hon. Gentleman replied that the only change was that whereas under the original Bill free grants might be given to railways, the only free grants or guarantees which can be given under the Bill as it stands are what the Treasury may decide to give.

*SIR M. H. BEACH: I did not say the only change. I said the main change, which had been made a grave subject of complaint.

MR. STOREY: I, of course, accept the right hon. Gentleman's statement, though it does not accord with the note I took at the time. I want to point out that this is a great, but by no means the only change that is complained of. What we complain of, and what we shall continue to complain of, is that, whereas under the Bill as it originally stood, the guarantee could only be given in cash to the promoters, and under safeguards for the British taxpayer and for the locality, the Bill as it now stands not only gives a guarantee, but the Treasury may, if it likes, pay cash down; and, with one exception, all the guarantees which the public and the locality have for the proper construction of the line, for its being carried on, and for the non-inflation of the capital, and all the other provisions which were in the original Bill, have all disappeared. We allege that this Bill has never been duly considered, and, therefore, we ask that it be considered by a Committee of the Whole House. There was no discussion on the First Reading; there was a statement by the right hon. Gentleman on the Second Reading; and then there was a discussion, not of a very severe or extended character, which took part of two nights; and from that day to this the House has had no cognisance of this Bill. In the ordinary course of things this Bill ought to have been presented to a Committee of the Whole House. ["No, no!"] I challenge hon. Gentlemen opposite to cite one instance in which a politically-contentious Bill has been sent to the Grand Committee. If the Chairman of the Committee had been here I should have been quite willing to have made him my witness as well as the other hon. and learned Gentleman who took the Chair in his absence, both staunch supporters of the Government. They would have said without hesitation that this was not a Bill which ought to have been sent to a Grand Committee in the month of August. When we got to the Grand Committee on Trade, the right hon.

Gentleman says we met the Bill with severe and prolonged opposition, taking no less than 25 Divisions on the first part of the Bill. I admit it. I opposed the Bill from the first, and I mean to oppose it to the last. The hon. Member for Dundee was not opposed to the Bill, and my hon. Friend the Member for East Gloucestershire was warmly in its favour. But the conduct of the Chairman and Members of the Government in sustaining him was such that those hon. Members turned against them and for us who were opposing the Bill. The right hon. Gentleman says these Divisions took place long before my hon. Friend the Member for Dublin's Amendment was put to the Committee. But was not that Amendment proposed to be accepted by the Solicitor General for Ireland before ever the Committee met? It was down on the Paper; it was not allowed; we saw what was going to happen, and it was therefore that we prolonged our opposition to this part of the Bill, because we knew very well that the second part would never be before us at all. May I press upon the Government this fact, that the bulk of this Bill was never discussed in Committee at all. How many Amendments were there in Committee after we left? They were all a happy family then. The Solicitor General for Ireland had but to lift his finger, and they willingly agreed to anything, but not more willingly than his ancient enemies, who, smitten on one cheek by the present Government, are now exhibiting the most meek and quiet spirit, and are content to receive from the hands of those who smote them and insulted what they have to give. The right hon. Gentleman rather reflected upon me, because he said I had taken a very exceptional course against this Bill. The Bill was a bad Bill in my judgment. I have never concealed that opinion. I will just make one quotation, as showing what it is we object to. The *Freeman's Journal* has an interesting paragraph which is well worthy the attention of the House:—

"The money properly employed would doubtless prove a boon, but as Ireland is now governed, we are certain that, as regards some of the projects in which a large share of money will be spent, it might as well be devoted to digging bog holes in the nearest bog and filling them up again. The gang of officers of the Board of Works and sharp company promoters —we could guess some of the names—would make a profit; some shopkeepers about the new works would benefit by the navvies; and the country at large would ultimately pay for all."

I would not call the officers of the Board of Works a gang, for it is not a very pleasing word, but the paragraph which I have read is undoubtedly true. Two reasons may be stated for re-committing the Bill. One is that, if public money is to be given at all, it ought to be given to existing railways about which something is known; and if we are to deal with promoters, the guarantee to be given them should be an annual payment for a limited number of years. In the second place, if Her Majesty's Government are determined to proceed with this measure, they ought at least to agree to incorporate into it those safeguards which the Royal Commission suggested. That Commission, in their Report, pointed out why the Act of 1883 was a failure, and suggested remedies which were adopted in the drafting of the original Bill. I desire to move Amendments and new clauses to carry out these objects; but the procedure adopted by the Government has put great obstacles in my way. I and my hon. Friends desired to insert safeguards against abuse. I am not going to take part in proposing frivolous Amendments. I heard what the President of the Board of Trade had to say about me, and I do not care that for what a Government officer has to say. I heard the charge, and dismiss it as it was spoken. Perhaps the right hon. Gentleman may say, "Why not move Amendments as it is?" I will tell him why. Some of my Amendments are in the shape of new clauses. You cannot give notice of these new clauses. Care was taken that I should have no opportunity of giving notice, and now that the First Lord of the Treasury proposes to continue this discussion, I am prevented from giving notice of them for to-morrow. After that exhibition of his astuteness, it may now honestly be said that the Government, after doing all they could to defeat the Bill, are at last doing all they can to carry it. There are four or five guarantees for the public which I think the Solicitor General could even yet introduce into this Bill. There is nothing new in them. They were in the original Bill. He himself accepted them and must have thought them desirable,

if not necessary. I ask him now whether he cannot shorten these proceedings by adopting some of these safeguards? First, we think that the opinion of any locality as to whether a certain guarantee shall be given should be decided by a popular vote. Next, in order that the capital should not be unduly inflated by promoters, we propose that an Inspector of the Board shall report on the capital raised and expended. We also object to the clause providing that the expenses of the promoters shall be paid for out of the capital raised. Where you have such a provision the expenses are sure to be extremely large. I should further like to know what is to be done with these railways in the event of their proving, in some cases, failures. Who is to get the benefit of making these non-paying lines out of the public funds? They will not have any appreciable effect in developing the country. It will be the landlords who, if anyone, will mainly benefit, and therefore it will be quite fair if the Bill provides that no railway shall be made save where the landlords gratuitously give the required land. I think it will be found that when the Chief Secretary proceeds to carry out this precious Bill, such landlords as Mr. Olphert, who has depopulated districts by evictions, will get a handsome sum of money for allowing the promoters to carry a railway through his estate. But if the landlords are to get the benefit, they should make the sacrifice. In committee I was unreasonable enough to suggest that every bit of the land should be acquired at 16 years' purchase; I was laughed at. I ought to have been laughed at for proposing so large a sum. If I were to give my honest opinion, I would say that every bit of agricultural, pasture, bog, and mountain land required for the railways should willingly and cheerfully be given up to the State for nothing. Will the Solicitor General for Ireland introduce a clause into the Bill that it shall be part of the bargain that the land shall be acquired at from 15 to 16 years' purchase? That is an economical proposition. ["No!"] Then ten years, five years; I am not at all particular on the point. What I want to be at is this. I know something of what has happened in England and Ireland. I know that many a time enormous prices has been paid for the land, while the landlord was the sole beneficiary under the railway. I ask the attention of the House to this fact, although I cannot hope to move the flinty hearts of the Treasury Bench. They know well that they have got the majority of votes, and that they have got the votes of the majority of Irish Members, through the new alliance which has taken place between them and their ancient oppressors. We Englishmen, with an honourable phalanx from Ireland to help us, are left to do battle as we may. If the Government cannot agree to the bulk of the Amendments which have been hurriedly put upon the Paper in the last day or two, will they take up one or two points mentioned during the discussion, and join with us in making the Bill as good as possible? The right hon. Gentleman was very severe upon me for objecting to the application of the principles of this Bill to England and Scotland. Cannot he see that the bottom is knocked out of my arguments if he can come to me and say, "We are willing to apply this to any part of the country that needs it." If the Government will only assent to some of my Amendments so that we can secure the interests of the ratepayers, they will probably find that the period to be devoted to this Bill will be very much less prolonged than if they present a Bill which their own sense tells them is manifestly and grotesquely incomplete. It would be very easy by taking five or six clauses from the old Bill to make the present Bill more acceptable than it is. If the Government prove obdurate, nothing remains to us, even at the risk of physical endurance, but to protest against a Bill which we certainly believe to be disadvantageous to Ireland and unfair to the British taxpayer.

*MR. CHANCE: I wish to say, while the Chancellor of the Exchequer is in the House, a word on the financial aspect of this Bill. I was not a Member of the Grand Committee, but I understand it was stated very frequently and distinctly to that Committee that the grant would only be £600,000. I would call the attention of the Chancellor of the Exchequer to the fact that Clause 6 proposes £42,000 by way of annuity. That capitalised at 3 per cent is £1,386,000. Then under Sub section 4

of Clause 6 you grant in addition a bulk sum of £600,000, which makes £1,986,000. Actuarially, the sum available for these light railways would be rather more than £1,986,000. It is not fair to calculate it at 3 per cent. Probably the annuities will cost the Exchequer something less; and therefore the real sum to be guaranteed is over two millions. I quite admit that £22,000 of that annuity has already been guaranteed, but the fact that the whole sum has not been applied for shows that the machinery of the Act of 1883 has fallen through. The sum of £22,000 capitalised is rather more than £726,000. That has already been granted by Parliament, but it is still in the coffers of the Treasury, and would remain there but for this Bill, which removes the safeguards. The House is practically asked to grant £2,000,000 on a certain representation. When the Bill went into Committee there was a complete change of front, and the right hon. Baronet had merely to call upon his followers and they proceeded to swallow their principles. The Bill as originally drawn was by no means a bad Bill; at least it attempted to carry out the recommendations of the Royal Commissioners, and a machinery was introduced for ascertaining whether the people of the locality interested dissented from, or assented to the proposed railway. But this and other provisions, in accordance with the recommendations of the Commissioners, were struck out. I protest most distinctly against granting £2,000,000 of public money on the Report of a Committee, the Chairman of which undoubtedly and distinctly acted in violation of the rules and precedents of this House.

*Mr. SPEAKER: The hon. Member is not justified in making that observation.

*Mr. CHANCE: I withdraw it, Sir, only I thought there had already been an expression of opinion in this House upon the subject without rebuke by English Members. But the course which the Chairman of the Committee took resulted in the abandonment without discussion of a large number of Amendments. I do not know whether I am in order in making a comment of that kind. I am not commenting on the action of the Committee, and am willing to withdraw any expressions I may have used that may be regarded as having gone in that direction. I think the right hon. Gentleman the President of the Board of Trade has considerably understated the case. As the Bill originally stood, promoters other than public companies could only get annual guarantees. They could thus get a dividend of 3 per cent guaranteed by the Treasury, and reading the Bill along with the Act of 1883, that guarantee would be wholly conditional on the future working of the line, the guarantee disappearing the moment the line was not worked. That was not a very large undertaking, but small as it might be, the Government, in introducing the Bill, closely safeguarded the grant. All the safeguards have however, disappeared, and it is now proposed that instead of having that guarantee of 3 per cent, the promoters, as to whose honesty and respectability inquiry would be difficult, should have an advance in the shape of a capital sum from the Treasury. This leads us to the discussion of a very curious question arising on this Bill. Let me put the matter in the shape of an illustration. Let us suppose the promoters, as they can do under Clause 3 of the Bill, should go to the district Grand Jury and ask for a 5 per cent guarantee on a capital of £5,000. Upon obtaining that they would be able under Clause 4 to go to the Treasury and get an advance of £100,000 for the purpose of making the line. That is a possible case. Supposing they then make the line, and that that line, if constructed in a properly selected district, has the effect of so developing the resources of that district as to become a profitable undertaking to the promoters, they will only be bound to repay to the barony the sum actually advanced on a 5 per cent guarantee, and having repaid the advance made by the barony the whole profit on the undertaking will go into their pockets. That seems to me to be a very strong case, and I should have thought the Government would have been able to produce some clause that would avoid the state of things that would arise, if, in the somewhat unlikely case of these lines proving profitable, after repaying the barony what it had advanced and according reasonable dividends to the shareholders

on the private capital of the company, they should take power to return to the Treasury the sum received from the Consolidated Fund. But no condition of this sort has been introduced, and as it stands the Bill, as I have already said, would enable the promoters to take the profits on £100,000 or £105,000. Shares in some of these lines might hereafter become as valuable as shares in the New River Company, and those who had put down £1 might find it worth £100; or £5,000 might grow to £150,000. I was at one time puzzled to know what was the object of the Government in forcing this Bill upon the House—a Bill involving nearly £2,000,000—at a time when a quarter of a million properly applied would put an end to the terrible state of things existing on three or four estates in Ireland, and enable Her Majesty's Government to lock up the Crimes Act. But their object is perfectly clear now. In the first place, it is to benefit men like Mr. Olphert and the Marquess of Clanricarde, who will get a fine sum for their land, inasmuch as care has been taken in the Bill to secure that compensation shall not be awarded by a jury. Under the old system, when compensation for land compulsorily taken was assessed by the Railway Arbitrators, it was open to the company to resort to a jury. I have an Amendment on the Paper which would prevent such a thing as the arbitrators giving gentlemen like Mr. Olphert 25 or 30 years' purchase for land not really worth 6d. per acre. I say the Bill is a bad one, and will create much dissension on both sides of this House. I trust it may not fully realise all my anticipations, and I think that the best thing that could be done would be to enable us in Committee to re-impose the safeguards which the Government at first thought necessary, and which the Commissioners who reported on public works in Ireland also thought necessary.

*THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I think the House will agree that all the issues raised in the Bill have been fully debated, and I only rise in consequence of some questions put by one or two hon. Members who have addressed the House. The hon. Gentleman who has just sat down seemed to be under the impression that some additional burden might be placed on the Treasury. There is not to be a greater sum than £42,000 given annually. The annual sum is cut down if the capital sum is increased and *vice versâ*. I might also point out that that portion of the Bill has not been altered in the Grand Committee.

MR. E. ROBERTSON: How is the excess on the £42,000 arrived at?

*MR. MADDEN: There will be no excess whatever. It has been stated that the safeguards against inflated capital have been dropped out of the Bill; but if the hon. Member who made that statement looks at the 7th section he will find that the safeguards which already exist under the previous Acts have been materially added to. The Bill consisted of four parts, and in the Grand Committee we were face to face with the fact that it took 24 Divisions and five days to dispose of one page of the Bill, and it therefore became obvious that at the late period of the Session at which we have arrived it was impossible to deal with the remaining 20 pages, and therefore at the earliest possible moment I announced that the Government did not intend to proceed with the whole Bill.

MR. STOREY: Did not the Government agree to the hon. Member for Dublin's Amendment before going in Committee at all?

*MR. MADDEN: That is absolutely irrelevant. I think that, having regard to the fact of what occurred in Committee, there is not the smallest foundation for the Motion before the House.

*MR. HALLEY STEWART (Lincolnshire, Spalding): It is not the case that Part II. of the Bill was withdrawn in consequence of the opposition with which the Government was confronted in the Committee, inasmuch as it was not withdrawn until long after that opposition had ceased. It was quite competent for the Government to have rushed Part II. through the Committee, as they rushed the rest of the Bill through. They have adopted none of those safeguards which the Royal Commission recommended them to adopt. There is not a supporter of the Bill on this side of the House who does not believe that a large sum will be wasted. [*Cries of* "No!"]

*SIR J. M'KENNA (Monaghan, S.): I do not.

MR. HALLEY STEWART: Perhaps the hon. Member does not attach the same meaning as I do to the term "wasted," but I am quite sure hon. Members below the Gangway know that a large sum of this money will find its way into the pockets of the worst and most vicious class of company promoters. Some of the Amendments proposed, and to which hon. Members on the opposite side of the House were distinctly favourable, were rejected because it was thought that the measure was being obstructed by other hon. Members. A spirit of absolute partisanship characterised the proceedings of the Committee. I shall certainly support the Motion that the Bill be re-committed.

MR. HUNTER (Aberdeen, N.): One of the inconveniences arising from the way in which this Bill has been treated in Committee upstairs is that Clause 6 is about as confused and unintelligible a clause as it would be possible to put on the Paper. For instance, in Sub-clause 1 it is most distinctly stated that, in addition to the £43,000 a year, the capital sum of £600,000 may be spent.

The House divided:—Ayes 156; Noes 39.—(Div. List, No. 319.)

Main Question put, and agreed to.

Bill considered.

*MR. SPEAKER: The Amendments standing on the Paper in the name of the hon. Member for Cavan (Mr. Biggar) are out of order, as they go beyond the scope of the Bill. The hon. Member proposes to alter the whole machinery of the Tramways Act of 1883.

A Clause (Application of existing enactments,)—(*Mr. Chance,*)—brought up, and read the first time and second time, amended, and added.

Another Clause (Appointment of receiver under 30 and 31 Vic. c. 127, 46 and 47 Vic. c. 43.)—(*Mr. Craig,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

*MR. MADDEN: I cannot assent to this proposal. As I stated in Committee, I consider some of the Amendments which have been placed on the Paper to be of very considerable value, but, owing to the shortness of the time at our disposal, it is impossible to take them. I think the best course would be to postpone them until next year, when I propose to introduce a Bill which I hope will be of a non-contentious character.

*MR. CHANCE: Under the old law if a railway company got into difficulties its creditors could seize its rolling stock. Of course that was a troublesome thing from a public point of view, and the five sections of the Railway Companies Act of 1867 were passed to provide that a Receiver might be appointed to collect the rates and tolls so as to prevent the seizure of the rolling stock and chattels. This new clause proposes to include the sections in the Bill. Unless it is adopted these small undertakings, which are sure to get into difficulties, will be liable to have their rolling stock seized every seven days. I hope the House will not consent to the rejection of the clause without hearing from some supporter of the measure an intelligible statement of the reason why the Government oppose it.

MR. T. M. HEALY (Longford, N.): I think the Government will be well advised if they accept this Amendment, which appears to me to be essentially reasonable.

MR. BIGGAR: The contention of the hon. and learned Solicitor General for Ireland seems to be that they ought not to accept a reasonable Amendment, because it will occupy time. It seems to me that the measure could be quite as well settled this Session as partly postponed till next Session. I am told that the clause is similar to one proposed by the confidential adviser of the Solicitor General for Ireland.

The House divided:—Ayes 41; Noes 147.—(Div. List, No. 320.)

Another Clause (General rules,)—(*Mr. Craig,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

MR. CRAIG (Newcastle-upon-Tyne): This clause will require some verbal alterations, but before I explain them I should like to know what position the Government will take up in regard to it.

*MR. MADDEN: This clause is taken from the original Bill proposed by the Government, to Part II. of which it properly applied. But the clause is inapplicable to this Bill because there are no matters in the Bill to which it can refer. The difference between the two cases is this, that in the original measure the insertion of the power to make general rules was appropriate to, and in harmony with, the structure of the Bill, while these general rules are not required under this Bill.

*MR. CHANCE: The Solicitor General for Ireland falls—if I may be permitted to say so—into a complete error when he suggests that this proposed new clause would only give power to make rules as to matters prescribed in the Act. Do I understand him to allege that there are no matters directed to be done by this Act as to which these rules could apply? Surely there are a number of purposes in the Act which would come under this clause. There are the applications to the Grand Jury which it will in future be possible to make both at the Summer and the Autumn Assizes. Again, the hon. and learned Gentleman should bear in mind that the last clause of this Act incorporates the Acts of 1860, 1861, 1871, and 1883. Do the Government allege that the procedure under these Acts is in a satisfactory condition? I do not see how they can, in face of the statement of the Commissioners of Public Works in Ireland in the second part of the Report of 1888: "That the present procedure is unsatisfactory and involved," and in face, too, of their recommendation that it should be altered, that all these Acts should be consolidated and that a fresh Act should be brought in. If this proposed clause is carried the Lord Lieutenant in Council will have power to make rules for procedure under the Consolidated Acts, and I ask the Government to accept this proposal and enable new rules to be made with a view to improving the present irrational and involved method of procedure.

The House divided:—Ayes 37; Noes 149.—(Div. List, No. 321.)

MR. CRAIG: I think it will be my duty to press the next clause which stands in my name. This also has been taken from the Bill originally brought in by the Government, and I contend that it involves a very important principle, inasmuch as it provides for a popular vote.

Another Clause (Assent of occupiers in benefited district,)—(*Mr. Craig,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

*MR. MADDEN: There is, no doubt, truth in the statement that this clause is taken from Part II. of the original Bill, but in that Bill it was applicable to a totally different state of things. It is absolutely unnecessary in the present condition of affairs. I would remind the House that under the former Bill provision was made for a novel mode of constructing tramways with a Treasury guarantee, and as there was also provision for local guarantees the Government thought it advisable, in introducing this new system, that the inhabitants of the locality should have some voice in the matter, hence they introduced this clause in the second part of the Bill as introduced. Now, however, promoters must proceed under the Act of 1883. Now that Act enabled the Grand Jurors and the Privy Council to place on the localities concerned far greater burdens than can possibly be imposed under this Act, because not only was the baronial guarantee intended to cover the cost of maintaining the line, but it also covered the entire capital necessary for its construction. Under this Bill the Treasury take power to come to the aid of the locality, and relieve it of a considerable proportion of the burden, and surely there is now no necessity for the ratepayers to be consulted in a special manner. I may add that in Committee an overwhelming majority of the Members representing the class in whose interests this clause is said to be proposed, rejected it.

MR. STOREY: The argument of the hon. and learned Gentleman amounts to this. Inasmuch as under the Act of 1883, where a guarantee was given an appeal to local opinion was provided for, now that the locality is to be aided out of the public purse, there is no necessity for an appeal. Now, I submit that you are going to impose a new charge on the locality under this Bill, and there-

fore why before you do so should you not consult the ratepayers of the locality? Why did the Government make any such provision in their original Bill? What was the opinion of your Royal Commissioners on this very point? I take my stand on that opinion, and doing so, I do not need to listen to the views of hon. Members from Ireland. The Commissioners stated that one of the defects under the system of 1883 was that it involved taxation without representation, for the Grand Jury was composed mainly of owners of land, whilst the county cess fell largely on the occupiers. The landlords, in fact, composed the Grand Jury which had to decide whether the guarantee—the burden of which fell on the tenants—should be given. Now, I say that the proposal we are discussing is a reasonable one, and unless the Government has determined to accept no suggestion whatever from these Benches, they ought not to oppose this clause, which merely brings them back to the paths of reason and common sense.

SIR G. CAMPBELL (Kirkcaldy): The Solicitor General for Ireland admitted that if a burden were to be put on the ratepayers they ought to be consulted. But the fact is, this burden is going to be put on the British taxpayer, who in the end will have to pay for the making of these Irish railways.

MR. T. M. HEALY: I have no concern for the pockets of the British taxpayers. That does not in the least affect me when I remember you are only giving us a few paltry thousands in return for the hundreds of millions you have extracted from our country in the past. While I agree with the hon. and learned Gentleman opposite that this Amendment cannot be accepted as it is framed, I do think the occupiers should have some voice in the matter. I have not the least sympathy with the opposition of the hon. Member for Sunderland, for he and his friends allow a million and a half of money to be voted for police purposes in Ireland without uttering a word of protest, while they exercise their ingenuity in opposing and obstructing a measure which gives a few thousands for the benefit of Ireland. Of course I approve of the principle of giving some representation to the ratepayers, and I think the Government would act wisely in accepting some of the Amendments on the Paper, but with regard to this particular Amendment, I do think it enforces the principle in a way which is not applicable under this Act.

MR. HANDEL COSSHAM: As to our voting one-and-a-half millions for expenditure upon police in Ireland, the hon. Member should remember that some of us are as much opposed to that expenditure as he is himself, and have often voted against it, so that his words fall with no reproach upon us. When the Chief Secretary brought in the Bill he rather plumed himself upon a clause similar to this, and to be consistent he ought now to vote for the Amendment, or else he should explain why he has changed his view. When he introduced the Bill he laid stress upon this as an essential clause. Let us hear what he has to say in explanation of the change that has come o'er the spirit of his dream. He with his Party supported this clause on the Second Reading of the Bill. Are they going to vote against it now? I shall be equally curious to see how Irish Members vote. They have always advocated the right of the taxpayer to have some control over expenditure in Ireland, and it is one of the great principles in which we back them. If I were an Irish cesspayer and my Parliamentary Representative did not vote for the application of the principle of local control in this clause, I should have something to say on the subject when the time for Election came round. I call upon the Members of the Party opposite who voted for this clause on the Second Reading to vote for it again, or show cause why they turn their backs upon themselves as they did in reference to the Tithes Bill. I hope my hon. Friend will carry his Motion to a Division, and I shall certainly support him.

MR. PHILIPPS (Lanark, Mid): It is a pity the Government do not accept this Amendment. It is but a fragment of security against the taxpayers being called upon to maintain works they, in the first place, may consider wholly unnecessary. The Solicitor General says that the people would be likely to be biassed in favour of the scheme before them, and so they would be, but that is no reason why they should not have this small chance of expressing their opinion on the representation

made by the Grand Jury. The reproaches of the hon. Member for Longford against Radical Members that they did not object to the Police Vote are unreasonable.

MR. T. M. HEALY: The hon. Member is repeating a reference made by the hon. Member behind me, and, perhaps, I may be allowed to explain that what I said, or intended to say, was that I never observed this strenuous Opposition on the part of the Radical Party to the expenditure of a million and a half upon police, and half a million on a form of education we do not require, and a number of other items; and yet they attempt to prevent us from getting this miserable little benefit that the Government are willing to give us.

MR. PHILIPPS: We voted night after night with the Irish Members, and if they had not themselves taken up so much time in speeches we should have spoken for them, too. Nobody can complain that the Debates on the Irish Police Vote require lengthening.

MR. MURPHY (Dublin, St. Patrick's): I am strongly in favour of the principle contained in the clause, and would wish to see it carried out as applied to any extension of the local guarantee. But there is no proposal to extend the power of guarantee by the Grand Jury, beyond what is contained in the Act of 1883, and, therefore, I shall not vote for the Amendment.

MR. BIGGAR: I think the Government ought to agree to this Amendment, because it formed part of their original Bill; and it seems to me rather stupid to propose a clause, adhere to it through the Second Reading of the Bill, and then to throw it out without reason 10 days afterwards. I do not think the reasons assigned by the Solicitor General are entitled to much consideration. In relation to what the hon. and learned Gentleman has said of the Act of 1883, it must be remembered that that Act was forced through the House without a Committee discussion, just as this Bill was forced through Standing Committee; and in point of fact the Act of 1883 does not represent the deliberate opinion of the House of Commons after discussion of its details. The Solicitor General also appeared to lay it down that no increased liability will attach to the ratepayers; but, undoubtedly, there will be a greater liability under this Bill. If a scheme breaks down and does not pay its working expenses, through the dishonesty of promoters, the ratepayers will be liable to serious responsibility, and I certainly think they ought to have a voice in relation to such matters. Now, as to what my hon. and learned Friend says about getting a sum of money from the British taxpayers, I hold that under this Bill we are getting nothing at all. The promoters of these schemes will get the money, but we, the ratepayers, will not be benefited one penny; indeed, the ratepayers will have heavy responsibilities laid upon them. Surely it is reasonable that the ratepayers should have some safeguard, some opportunity of expressing their opinion beforehand against the imposition of a dishonest impost. Another point the Solicitor General made was that a number of Irish Members supported the promoters of this Bill through all the Divisions in Committee. That is perfectly true; but I am afraid they were not thinking of the ultimate burden that may fall upon the ratepayers, but were influenced by the canvassing of local shopkeepers in favour of some possible local railway scheme. The Government very adroitly keep expectation alive as you hold a bundle of hay before a donkey. They take care not to give any information as to particular schemes they propose to favour. Influenced by the hope that a particular district in which they are interested will get a share of this expenditure, hon. Members support the proposals of the Government whether they agree with them or not, whether they are right or wrong, and this, as an expression of public opinion, is entitled to very small consideration.

MR. FLYNN (Cork, N.): I certainly think the Amendment might be accepted, but I think my hon. Friend (Mr. Biggar) in his reference to pressure brought to bear upon Irish Members in support of the Bill did not state his case with his characteristic accuracy. Whatever pressure there has been has been so small as to be almost inappreciable, and I do not think it has influenced any Member in his judgment of the Bill. I might mention that the only Union which has passed a resolution in favour of any particular line of railway under this Bill is the Cavan Union. No doubt it is desirable that there should be the means

of giving expression to the opinion of the cesspayers on any particular scheme before it is passed, there is undoubtedly a danger to be safeguarded. It may not be wise for the Government to schedule the district to which the Bill shall apply, but if you have not some check upon the Grand Jury you may have the engineering and financing ingenuity of promoters sanctioned, and expenditure wasted, upon work that should never have been undertaken. In the event of failure, if the line does not pay, then a certain portion of the loss falls upon the occupiers, and certainly they will have good reason to complain if they have no check or control over a scheme which, in its inception, they may have considered unjustifiable. Under the circumstances, I hope the principle of the Amendment will be accepted.

*Mr. CHANCE: I agree with my hon. Friend the Member for Dublin that the Bill does not throw upon the ratepayers such a heavy burden as was imposed by the Act of 1883, and I admit also that in this direction a safeguard was introduced in Committee, and that whereas under the Act of 1883 promoters might ask the Grand Jury to guarantee the whole of the capital, undoubtedly under the Amendment of my hon. Friend this cannot be done; the promoters can only ask for a guarantee of a portion of the capital, and so far, of course, liability is lessened. Under the second part I admit there is no real liability. I confess I do not quite know what is to happen if the Railway Company fail to work the line, but I presume the draftsmen did not anticipate that such a thing could occur.

*Mr. MADDEN: The Treasury can get a guarantee from the Railway Company.

*Mr. CHANCE: Well, that may be very valuable or not, but I admit that liability does not fall on the county. If a fresh company promote a line, undoubtedly they will be bound to make a working agreement, and in that case I suppose the Treasury will look into that agreement. But under the third branch of this proposal this is not so. The promoters may come to the Grand Jury and ask for a guarantee on a limited portion of the capital, and this will have to be met by additions to the county cess. I notice that the Commission on Public Works advise that there should be no addition to the county cess in respect to any guarantee above 6d. in the £1. Now, the Grand Jury are not a popular body, they do not pay the county cess; it falls upon the occupiers who are not represented on the Grand Jury; and, therefore, we have the position that one body imposes taxation without having to pay a penny in discharge of the liability, and the people who have to discharge the whole of the liability have no representation whatever on the body which imposes the taxation. Again, I have to refer to the Report of the Commission. The Commissioners reported that undoubtedly it was desirable and necessary that if a grant were to be made, due regard should be had to local responsibility, and the opinion of the county should be taken. I admit that the method pointed out by the Commissioners was defective. They proposed that the opinion of Presentment Sessions should be taken. Now that is a tribunal composed of an unlimited number of Magistrates and only six of the highest ratepayers of the district, and these, of course, would be always outvoted, so that would give no real representation of the ratepayers. As the Bill was originally drawn, I suppose upon a principle settled by the Solicitor General, I am bound to confess there was a complete representation of the ratepayers. If the ratepayers vote in favour of a scheme, then the ratepayers cannot object to the consequences. Further, I may point out that there was a limitation to 6d. in the £1. Now that clause is dropped out and the guarantee left unlimited, it seems to me only reasonable that the ratepayers should have a representative voice, and there would be no difficulty in revising the wording of this clause and securing that. In the Standing Committee this clause was rejected, I think, with 12 other Amendments upon one question put, and I think the reason that influenced many Members was that they regarded these Amendments as directed to the defeat of the Bill, and were determined that the Bill should pass. But that danger no longer exists. The Bill is pretty safe now. We have had a number of Divisions, and these have disclosed such large majorities that there is little doubt of the Bill passing to-night or to-morrow. The insertion

of this clause will in no way imperil the Bill; it is a clause that was included in the Bill as originally introduced; it carries out the recommendation of the Commission on Public Works. In the view of supporters of the Bill it is a reasonable clause, and I really do not see why the Government should not accept it.

MR. O'DOHERTY (Donegal, N.): No doubt in this particular the Bill is not so good as it was when it was introduced. I understand the limitation of liability to 6d. in the £1 is removed, and the guarantee is practically unlimited. It is also the fact that as the Bill originally stood we had a popular veto. In Committee, when these matters were raised, I spoke and voted with the opposition, and for several days continued my endeavours to improve the Bill, as I thought, until I found myself among a knot of Members who were perfectly determined to wreck the Bill, and then my opposition came to an end. The British taxpayer is better protected than before, but the only person who is not protected is the Irish cesspayer, on whom the liability will come. The Government have the security that the barony will maintain and work the line, so the Imperial taxpayer has no additional burden beyond the capital sum. It is due to the efforts of our Radical friends that the Bill is less satisfactory than it was; and though I do not object to the principle of this Amendment, still I cannot by my vote encourage the persistent opposition to the Bill which has been practised throughout.

MR. SEXTON (Belfast, W.): I will make no remark as to the multiplication of Amendments; but as to this particular Amendment, I will only say that it is not well adapted to the Bill as it stands. It is defective in point of drawing.

An hon. MEMBER: It is the Government clause.

MR. SEXTON: Yet it is defective, because it is directed to a condition of facts that do not now exist in the Bill. It embodies the principle of popular control, to which, when fairly submitted to the House, I am bound to give assent. I cannot forget that the Standing Orders of this House require that local assent shall be given before any proposal to throw pecuniary liability on a district is submitted to Parliament. I cannot admit that the Grand Jury, a non-elective body, or the Privy Council, or both together, afford local ratepayers due protection, and I think they are entitled by vote to protect themselves against proposals to place liability upon their districts. I do not oppose the Bill; but I urge the Government to consider whether here or in another place they can insert a provision giving the ratepayers a representative voice in these matters.

MR. J. B. ROBERTS (Carnarvon, Eifion): Whatever objection in point of form there may be to the clause in its application to the Bill as it now stands, no argument has been advanced why the burden, be it great or small, should be imposed upon the ratepayers without their consent.

The House divided:—Ayes 50; Noes 118.—(Div. List, No. 322.)

New Clause (Applications for Light Railways,)—(*Mr. Jordan,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

*MR. MADDEN: I agree to this clause.

MR. STOREY: We look naturally with a suspicious eye on any agreement come to by the Government. Will the hon. and learned Gentleman explain this to us?

*MR. MADDEN: I have no objection to remove the hon. Gentleman's suspicions. It provides that where an application has been made at the Summer Assizes of 1889 the Bill shall, as far as it is applicable, extend to such railway. It is not very likely that there will be such a case, but there may be. The clause is perfectly harmless in my opinion.

*MR. CHANCE: Will the hon. and learned Gentleman undertake to add words providing that it shall not apply to any case in which an application for a guarantee has already been made?

*MR. MADDEN: The only objection I have to that is that it is unnecessary. But I will not oppose such an Amendment.

Question put, and agreed to.

Amendment proposed to the proposed clause, to add at the end—

"Provided always that the clause shall not apply where an application for a guarantee has already been made before the passing of this Act."—(*Mr. Chance.*)

Question proposed, "That those words be there added."

MR. JORDAN (Clare, W.): I object to that Amendment. I think it will spoil the sense altogether.

Question put, and agreed to.

Question proposed, "That the Clause, as amended, be added to the Bill."

MR. O'DOHERTY: The Amendment which has been agreed to, in my opinion, entirely destroys the effect of the clause. I am not sure that my hon. Friend did not know this. I think it is a case, not of manslaughter, but of wilful murder. As the clause stands now it cannot apply to any conceivable case.

Question put, and agreed to.

Clause added.

MR. BIGGAR: I propose, in Clause 2, page 1, line 8, after "council," to insert—

"If petitioned to do so by a resolution of the Boards of Guardians of the district it is proposed to tax, said resolution to be come to on notice to the Guardians that such motion is to be proposed."

My object is the same as that of the former proposal, which was negatived. It is a matter of very substantial importance. I think the opinion of those who are best competent to judge of the need of constructing one of these lines, namely, the people of the district, should be consulted before any decision is come to. I admit that under the proposal which was negatived the process suggested was very expensive and cumbrous. The same thing cannot be said of the present proposal. Each member of the Board of Guardians would represent his own locality, and would be able to state, not only his own opinion, but what was likely to be the opinion of those whom he represented.

Amendment proposed, in page 1, line 8, after the word "council," to insert the words—

"If petitioned to do so by a resolution of the Boards of Guardians of the district it is proposed to tax, said resolution to be come to on notice to the Guardians that such motion is to be proposed.—(*Mr. Biggar.*)

Question proposed, "That those words be there inserted."

MR. CHANCE: I am afraid that this Amendment will not be accepted in its present form, because one Board of Guardians out of many in a district might prevent a scheme being adopted. But I would put it to the Government whether it could not be accepted if it was modified, so as to provide for the assent of the majority of the Boards of Guardians. I admit that it would be a somewhat expensive and cumbersome process to submit these schemes to the vote of a whole district, but it would be neither to submit them to the Boards of Guardians. In mercy to those who desire these railways, I think it would be well that they should have the opportunity of discovering whether the county is against them or not. They would then at least be able to say that, when a line had been made, it had been the result of an expression of public feeling in favour of its construction. It would also enable the Lord Lieutenant and the Privy Council to discover pretty accurately what baronies were likely to object to join in the guarantee. I believe there was a certain amount of feeling on the opposite side of the House in favour of the previous Amendment, and I have no doubt it was only rejected because it was thought to be rather a cumbersome and heavy way of getting at the opinion of the locality.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): As the House is aware, I have very considerable sympathy with the general principles with regard to popular control which have been enumerated on the other side of the House; and, in the Bills respecting drainage, and in this Bill as it went to the Committee, I gave practical expression to the opinions which I hold upon the subject. At the same time, I do not think the method proposed by the hon. Member for Cavan (Mr. Biggar), even as amended by the hon. and learned Gentleman (Mr. Chance), would prove convenient or effective. I do not think that the spectacle of Boards of Guardians meeting and quarrelling over any particular scheme of a light railway would be at all edifying, or be of much assist-

ance to the Lord Lieutenant. Moreover, Boards of Guardians are not representative at all in the sense of the bodies I desired to call into existence. In the Bill as originally drafted I desired to obtain the opinion of the cesspayers, and the Boards of Guardians do not represent the cesspayers. Therefore, I do not think that the method proposed would give effective popular control.

MR. COSSHAM: I find that the practical proposal of the right hon. Gentleman in favour of giving popular control has now dwindled down to sympathy. If the right hon. Gentleman really desires to give some practical effect to his wish for popular control in this matter, let him devise some clause to do it. When the Bill was before the Committee I moved a clause for the purpose of giving the Guardians some control in connection with these railways. I did not consider they were the best body to choose, but they were the only body I could find in Ireland which at all represented popular opinion. I do ask the House to adopt the principle proposed by the hon. Member for Cavan, and I shall be glad myself to accept the limitation suggested by the hon. Member below me (Mr. Chance).

*MR. PINKERTON (Galway): I cannot for the life of me see how an Irishman like the hon. Member below me (Mr. Chance) can try and obstruct a Bill of this kind.

*MR. SPEAKER: The observations of the hon. Member are not in order.

*MR. PINKERTON: I withdraw what I said. Owing to my experience of Boards of Guardians, I know the consequence will be such a confusion and diversity of opinion that it will be impossible to carry any line through a district at all. All these Amendments are brought forward by the enemies of the measure, none of the proposals come from those who are desirous of seeing the Bill pass. I think the Government would do well to draft a clause, giving some sort of control to local opinion, but they would not be well advised in handing that control over to Boards of Guardians. I agree with the Chief Secretary, we should have continual conflict between the *ex officio* and the elected Guardians, and moreover in the congested districts a large proportion of the population being under the £4 rental, have no representation on the Boards of Guardians. The very persons whose condition the Bill is designed to improve, would be excluded from representation in the matter. Many Guardians will be anxious to have a line through a district in which they are interested, and you would by this Amendment play into their hands to the exclusion of the poorer districts. We have seen how the Cavan Guardians have passed a Resolution in favour of a particular scheme. I do not suppose it is the intention of the Government that money should be spent in the richer districts. I give them the credit of honesty of intentton in wishing to benefit the poorer districts, and this Amendment will simply put a difficulty in their way.

*MR. CHANCE: The people who are not represented on the Boards of Guardians do not either pay county cess.

*MR. PINKERTON: I am astonished to hear my hon. Friend say this, the poorest farmers in my district pay county cess. Though I am in favour of some form of popular representation I intend to support the Bill, even though it should have some defects. I shall vote with the Government on every Division against all opposition.

MR. STOREY: If nothing else results from these discussions they give us interesting revelations of the state of Ireland and what it will be when this Bill passes into law and the scramble commences among all sorts of persons for a share of this money. It is not our fault that this Amendment is not so good as others which have been rejected. There was an admirable Amendment proposed in Committee that included the representation of all occupiers, but we were not allowed to discuss it, and of course our proposals find life again in the House. In default of a better proposal, which was refused, we have this proposal that Boards of Guardians should be consulted. Knowing, as I do, that a large number of these Guardians are not elected, I agree it is a very questionable Court of Appeal, but it is better than nothing. ["No, no!"] I am sorry to hear an hon. Member deny that Irish Boards of Guardians are better than nothing. I say they are. They would be some kind of guarantee, though an insufficient one. I agree that it would defeat the purpose to have

different Boards of Guardians sending counter resolutions, and I think the proposal should be confined to the Board of Guardians for the district.

MR. P. J. POWER (Waterford, E.): I think that it is absolutely necessary that popular opinion should be tested to some extent, and, although I admit that the Board of Guardians is not the best test, still I maintain that their opinion is better than nothing. There is an objection that there will be more than one Board in the county; but that can be met by an alteration of phraseology. True, we have "scenes" at our Board meetings sometimes; but, on the whole, the business of the Guardians is well conducted. I think that a Board should discuss the proposal at a special meeting, else it might come on at the end of a long and tedious day's business. Let me say that, although I am in favour of the Bill generally, the House cannot be too cautious about all its provisions. I represent one of the Divisions of Waterford, and we have now to pay £14,000 a year in respect to a railway constructed through our county, and this and other considerations make me most anxious that safeguards against future burdens should be provided. The whole of the £14,000 I mention falls upon the occupiers, and I should like to have such burdens divisible between owners and occupiers. In default of any better way of testing public opinion, I shall support the Amendment.

COLONEL NOLAN (Galway, N.): My hon. Friend the Member for Waterford is Chairman of a Board of Guardians —one of the few Members on this side who with myself hold that position. I should say this would not be a bad Amendment if amended so as to apply to the one Board of Guardians only. Thus amended, it might be worthy of consideration.

*SIR JOSEPH M'KENNA: I hope the Amendment will not be accepted; it will simply be an element of discord introduced, and an obstruction in the operation of the Bill.

The House divided:—Ayes 32; Noes 106.—(Div. List, No. 323.)

MR. PHILIPPS: The ground on which I move the Amendment which stands in my name is because it seems to me it is reasonable that some time should be fixed—I am not wedded to the time named in my Amendment—within which the pecuniary benefit offered by this Bill should be either taken advantage of, or definitely refused. I think that within six months people ought to make up their minds whether they want the benefit of the Act, but if the Solicitor General for Ireland thinks 12 months would be better, I am quite prepared to amend my Amendment accordingly. The Treasury should know, as soon as possible, what claims will be made under the Bill; and it is also reasonable that the House should know what the claims are, because other schemes may be proposed in future Sessions. No doubt the Chief Secretary for Ireland has other schemes in his mind for the benefit of Ireland, schemes which may, in the opinion of the House, confer more benefit on Ireland than the present. It might influence the House in refusing to vote other schemes if there was some liability outstanding under this scheme. Therefore, in the interest of other schemes, it is well we should know within some reasonable time the extent to which this Act is to be put into operation. Circumstances may alter from time to time, and in two or three years we may feel we are not called upon to let the Irish people have this money as a free gift.

Amendment proposed, in page 1, lines 8 and 9, to leave out the words, "from time to time," and insert the words "at any time within six months from the passing of this Act."—(*Mr. Philipps.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

*MR. A. J. BALFOUR: I hope the hon. Gentleman will not insist upon pressing this Amendment to a Division. I think he will see that nothing is to be gained from the taxpayer's point of view by the introduction of the words he proposes. We may take it that when Parliament has said it is prepared to expend a capital sum of £600,000 on Irish Light Railways, the whole of that will be called up and will have to be paid. [*Ironical cheers.*] It is distinctly in that expectation, and I may say that hope, that the Government propose the Bill. I do not think, therefore, that to

cut down the gift we propose to give to the less prosperous parts of Ireland, by a side wind, by fixing some limit of time within which demands may be made to the House, would be consonant with the general policy adopted.

*MR. CHANCE: I admit the right hon. Gentleman is correct to a certain extent, but I put it to him that there is a very serious object to be served by having some limit of time. I do not say six months, for I candidly confess that would be too short. Let me remind the Chief Secretary that this only applies to the making of the Order, and that the Order may prescribe certain number of years within which the Light Railway is to be constructed. In the Report of the Commissioners upon Public Works in Ireland, which was published last year, it is stated that the Tramways and Light Railways Acts are in a very unsatisfactory condition. It is pointed out that many of the Acts require to be amended, that many of the provisions are obsolete, and that in some respects the advances made under the Acts are not very well safeguarded. The Commissioners recommend that the Acts should be consolidated and amended, and that some reasonable and clear practice should be laid down in the case of Tramways and Light Railways. If we grant this money without any limitation of time, the money will be absolutely dedicated, not one penny could be got back; it would be absolutely impossible for Parliament to revoke the gift. There is one safeguard I should like to see introduced—namely, some provision for the repayment of the advances from the Treasury to the ratepayers in the case of any schemes which proved fruitful. If such provision is to be made at all, it must be made before the money is advanced.

MR. STOREY: There is one reason to be urged in favour of this Amendment, namely, that it brings out the history of the money advanced under the Act of 1883. The right hon. Gentleman knows that under the Act of 1883 there was power to spend a certain amount of money. Up to the present a large sum has been expended, but it stands to reason that those who can come under the new Act and get cash down will never take the trouble to go under the old Act, under which they can only get a limited guarantee. I think 12 months might be more reasonable; if it were even two years I would not object. The right hon. Gentleman cannot object, because he tells us he fully expects this money, having been allocated by Parliament, will be all applied for. One hon. Gentleman told us he thought all the money would be applied for within 24 hours, and I believe it will be applied for 10 times over. We are very much in the same position in England as in Ireland. If a beneficent Government will offer any part of the United Kingdom cash down for anything to do with local works, why, of course, the probability is that the virtue of any part of the United Kingdom would be strained. I believe all the money will be applied for, and I believe the present Lord Lieutenant or the new one will be prepared to give any money to the people of Ireland if he can only keep them quiet. It seems to me we had better insert in the Bill words setting out that the application shall be made within the year. If my hon. Friend will assent, I will move to insert "12 months" for "six months."

MR. PHILIPPS: I agree.

MR. HANDEL COSSHAM: I beg to support the Amendment of my hon. Friend (Mr. Philipps) as amended by the hon. Member for Sunderland. In the interest of the Chief Secretary and of the Government, some limit ought to be put on these grants. It is because I believe brute force and bribery will not work in Ireland that I support this Proposition.

Amendment, by leave, withdrawn.

Amendment proposed, in page 1, lines 8 and 9, to leave out the words "from time to time," and insert the words "at any time within twelve months from the passing of this Act."—(*Mr. Philipps.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

The House divided:—Ayes 117; Noes 25.—(Div. List, No. 324.)

MR. CHANCE: I beg to move the insertion of the words "upon an application in the prescribed manner" after the word "time" in line 9. I do not propose to press the Amendment if the Government object to it; but if they

intend to provide any machinery by which popular opinion can be expressed on the schemes prior to their recognition by Order in Council, they will have no objection to the insertion of the words I suggest.

Amendment proposed, in page 1, line 9, after the word "time," to insert the words "upon an application in the prescribed manner."—(*Mr. Chance.*)

Question proposed, "That those words be there inserted."

*MR. A. J. BALFOUR: I am afraid it is impossible to devise machinery that will satisfy the hon. Gentleman and his friends.

MR. CHANCE: I beg to withdraw the Amendment.

Amendment, by leave, withdrawn.

MR. E. ROBERTSON: I beg to move the Amendment which stands in my name: it is simply a verbal Amendment.

Amendment proposed, in page 1, line 10, after the word "certain," to insert the word "named."—(*Mr. E. Robertson.*)

Question proposed, "That the word 'named' be there inserted."

*MR. MADDEN: I think this Amendment can hardly be taken apart from the other Amendments standing on the Paper in the name of the hon. and learned Member, and he will admit those Amendments are other than verbal, that in fact they tend to introduce in the Bill a distinct principle, namely, the defining by the Bill of certain named districts. This is an Amendment leading up to subsequent Amendments which are objectionable from our point of view, but possibly necessary from the hon. and learned Member's point of view. We must object to the Amendment.

MR. E. ROBERTSON: I did not propose this Amendment as leading up to others, but simply to make it clear that the place should be named in the Order. However, after what the hon. Gentleman has said, I will withdraw the Amendment.

Amendment, by leave, withdrawn.

MR. E. ROBERTSON: I now beg to move to insert, in line 10, "within the Counties of Donegal, Mayo, Galway, and Kerry." The object of this Amendment is to limit in the Bill the local extent of the measure. It is quite clear it is not pretended that the whole of Ireland should have an interest in the Bill. The benefit is intended for certain localities, and I think the House in assenting to the measure should state what are the districts to which the measure is to apply. From the best information I have been able to obtain, the enumeration I have made exhausts the local necessities for the Bill.

Amendment proposed, in page 1, line 10, after the word "places," to insert the words "within the Counties of Donegal, Mayo, Galway, and Kerry."—(*Mr. E. Robertson.*)

Question proposed, "That these words be there inserted."

*MR A. J. BALFOUR: I think the hon. Gentleman is probably not far wide of the mark in saying the counties named are those which will largely benefit by the passing of the Bill; but at the same time it would, I submit, be a very great error on the part of the House to lay down any hard and fast line which would absolutely preclude the Parliamentary grant being employed for districts in other parts of Ireland really requiring it. It is perfectly true that what are called the congested districts are largely situated in the counties named, but it is not true they are wholly situated in those counties.

MR. STOREY: The right hon. Gentleman must admit there is something in the past transactions in Ireland which makes it very desirable that some such limitation as this should be inserted in the Bill. The Act of 1883, which was unlimited, was pressed through the House hastily for the purpose of benefitting congested districts of Ireland; and the Commissioners inform us, in their Report, that the Privy Council granted Orders for a short branch line to the Harbour of Carrickfergus, and for a suburban line from Dublin to Blessington, cases for which the Commissioners state "we should scarcely have thought an Imperial grant was desirable." [Mr. A. J. BALFOUR: Hear, hear!] The right hon. Gentleman agrees that that was an improper use of the Act. I suppose that Act was badly used by a Liberal Government. That Act having been so used by a Liberal Government, the Chief

Secretary cannot wonder that we wish to take precautions against the possibility of failure on the part of a Conservative Government. If we are going to spend the public money of Great Britain and Ireland upon portions of Ireland, it should be upon conjested portions of Ireland only. I do not say my hon. and learned Friend's list of counties exhausts the list, and I sincerely hope hon. Members from Ireland will move additions; but however that may be, the hon. and learned Gentleman has hit the four worst counties, so far as our judgments go, and if he goes to a Division I shall support him.

COLONEL NOLAN: I represent the largest of the four counties named. Galway and the other counties named certainly require the assistance proposed by the Bill; but I must point out that the hon. and learned Gentleman throws by his Amendment an apple of discord amongst the Irish Members. I am afraid that if Donegal, Mayo, Galway, and Kerry are the only counties to be benefited, the Representatives of some other Irish counties will not continue their interest in the Bill. The hon. Member for Kilkenny (Mr. Chance) has taken up a very extraordinary attitude as regards the Bill, and the hon. Member for Cavan (Mr. Biggar) has taken up a line of action which we all acknowledge, but regret. We are sorry that a man of his attainments in other respects should entertain such a deep-seated objection to water communication. But the Irish Members have been tolerably unanimous in respect to the Bill. [*Cries of* "No, no!"] Well, in Committee three Irish Members supported and 16 opposed the hon. Member for Sunderland (Mr. Storey) in his opposition to the Bill, and I call that tolerable unanimity. I certainly think we ought to reject this Amendment as a somewhat insidious one.

SIR G. CAMPBELL: I do not think the Government will thank the hon. and gallant Member for Galway for the support he has given them on this occasion. He has told the House with charming frankness that no Irish Member will vote for the Bill unless he is to get something out of it. Is it a fact that all the Irish Members want is money, and that all the Government want is to be able to go to Ireland and offer bribes here, there, and everywhere? I had hoped the Government would have accepted this or a similar Amendment. I had hoped they would have shown some good faith by restricting the operation of the Bill to congested districts. The Government will undoubtedly put themselves in a very false position unless they accept some such Amendment. I have been studying the Report of the Royal Commission. Nothing can be more miserable reading. The Commissioners give us a long list of schemes of railways that do not pay, that never will pay, and perhaps that never were intended to pay. They show how money that was intended for poor and congested districts has been spent in other parts of the country where it was not required. I have also studied a pamphlet on the subject of railways sent to me by a very sincere well-wisher of Ireland—Mr. Tute. He has prepared a map showing what railways there are in the congested districts of Ireland, and I find that along one part of the coast of Donegal, which is regarded as a congested district, railways reach the sea at no less than 15 points. I therefore cannot admit there is such necessity for these railways as we are led to suppose. It is absurd to say that the making of more railways there will really develope fishing. I have been to Donegal. No doubt it is a very poor county. The people do not catch much fish, and they cultivate the land with the spade; indeed, I am not sure they are in such a civilised state that they can support or benefit by railways. Galway is a county of rocks and stones, and Kerry is similarly situated. There are intermediate counties; but my belief is that the list of my hon. and learned Friend really exhausts the congested parts of Ireland. If the Government mean to show their good faith they will accept the Amendment; but if, following the lead of the hon. and gallant Gentleman the Member for Galway, they are determined to have a Bill which will captivate as many Irish Members as possible they will, no doubt, reject the Amendment.

MR. A. O'CONNOR (Donegal, E.): I also have been in Donegal. I happen to be the Representative of one of the four Divisions, and all I can say is that if I wanted a specimen of civilisation it is not to an ex-Indian official I should go but rather

to Donegal. I can also give the hon. Gentleman a hint as to his utterances in this House, that if he desires Members to co-operate with him he should not make use of language foolishly and needlessly offensive——

SIR G. CAMPBELL: Sir, I apologise.

MR. A. O'CONNOR: With regard to this Amendment, I may say that whatever proposals are put forward for the extension of railway communication Donegal is one of the chosen counties. This seems to be recognised as a matter of course, and since the introduction of this Bill I have been inundated with letters from all quarters and from all sorts of people in reference to possible extensions of railway communication. I am bound to say that schemes and alternative schemes for Donegal seem to be already prepared, and not only for Donegal itself but for the large towns in adjoining counties, by people anxious to speculate with other people's money. For all that, I think limitation to specified counties, whether those should be four in number or more, would be a mistake, because if you limit the number of counties you also create a fixed idea that those counties should have an assured proportion in the sharing of public money, and it will be difficult for Dublin Castle to resist that idea. As to the four counties mentioned, in my judgment they do not include those counties where money would be most advantageously spent. I agree with my hon. and gallant Friend that Galway should be included, and for the last seven years he has striven to bring this about. But other counties have a reasonable claim to assistance besides those mentioned; and if you fix upon these four counties as the limit there are certain Irish Members, naturally enough—it is nothing to their discredit that it should be so—whose interest in the Bill will immediately diminish. I do not think we can reasonably expect the Government to accept this Amendment.

MR. BIGGAR: It is perfectly clear that the money will demoralise whoever gets it, and therefore I think it would be well to circumscribe the area of demoralisation, and then the counties outside that area will cease to beg for their share of the spoil.

The House divided:—Ayes 24; Noes 131.—(Div. List, No. 325.)

MR. E. ROBERTSON: Perhaps I may be allowed to say, in reference to my Amendments standing next on the Paper, that I put them down in connection with a line of policy as to which I intended to raise a definite issue. But as the new clause I wished to propose was ruled out of order, I presume these Amendments having relation to that clause are equally out of order. But I think the Government might accept the Amendment to line 10, which is to leave out the words "for the development of fisheries or other industries."

*MR. MADDEN: It is impossible for the Government to accept that Amendment. In the forefront of the Bill these objects are put forward as the essential reasons for the Bill, and as indicating the purpose the Government have in view. I quite understand the hon. Gentleman's Amendment as leading up to the policy he would advocate; but inasmuch as that has had to be abandoned, it is impossible to accept this Amendment.

MR. E. ROBERTSON: I do not move that Amendment, but I move the next, but with a considerable modification. As it stands, the Amendment is directed to confining the application of the proposals in the Bill to railways that may be expected to pay 3 per cent; but I propose to modify that by limiting the Amendment to railways that will pay working expenses. The object of the Amendment is plain, and I do not think the Solicitor General ought to have any difficulty in accepting it. If he does not, then he declares on the face of the Bill that the Government are prepared to grant this money for the construction of railways that will not pay working expenses.

Amendment proposed, in page 1, line 11, after the word "industries," to insert the words "and that the earnings thereof may reasonably be expected to pay working expenses."—(*Mr. Edmund Robertson.*)

Question proposed, "That those words be there inserted."

*MR. A. J. BALFOUR: It is impossible for the Government to accept this Amendment, because it is inexpedient to lay down a hard-and-fast rule

of the kind suggested. There may be railways which in the first year of construction will not pay working expenses, but will serve to create traffic, because they will improve the industry of the district. It may be in the interest of a great Railway Company, for example, to promote a line which will not pay, but will serve as a feeder to increase the general traffic of the line. Yet this line, which would be in reality a commercial success, would not on the principle of the hon. Member be constructed. I hope the hon. Member will not think it necessary to insist on the Amendment, which rather belongs to the general scheme he had framed in his mind, and which he has had to relinquish.

MR. STOREY: The right hon. Gentleman uses a peculiar argument. It is possible, he says, that a Railway Company might construct a branch line for the advantage of their general line. But I would remind the right hon. Gentleman that in England the great Railway Companies construct those branch lines for themselves, and why should they not do so in Ireland also? What does the Report of the Commissioners say on this subject? It says—

"Few of the minor Irish railways which are in the nature of extensions pay any dividend on their ordinary stock. Several have been bought up by the larger companies on terms unfavourable to the original proprietors, and most of those which maintain an independent existence are heavily in debt to the Government, as often in arrear as regards their interest as in the principal of their mortgage loans."

Yet in face of that declaration the Government propose that the British taxpayer should give more money to those companies to make fresh lines which will not pay. In England affairs of this kind are dealt with on principles of common sense; but when we get on to Irish affairs a false kind of philanthropy is immediately imported into the consideration of the question, and all ideas of political economy are discarded. Why not fix a term of five or seven years in order to allow for the possible development of the country and the prospect of the line paying? This will meet the argument of the right hon. Gentleman, which is fair enough, that in the first years after its construction a line may not pay.

COLONEL NOLAN: The hon. Member quotes the Commissioners as if they were the four Evangelists, while every speech he makes is against the Gospel of the Commissioners which is contained in this Bill. He quotes the Report on bye issues, and when it serves his turn; but he goes against the whole spirit of the Report.

MR. STOREY: Excuse me. I can undertake to say that in every important particular the Royal Commissioners are against this Bill.

COLONEL NOLAN: The Commissioners recommended that the Government should assist the making of Irish railways, and this is the Bill, the whole Bill, and nothing but the Bill. Besides, on the money advanced hitherto for the construction of Irish railways, there has been a substantial profit to the Treasury. If the House agrees to the Amendment they will really be making a present to Irish lawyers, because litigation will immediately ensue, and legal arguments will be directed to the point as to whether a line will pay working expenses or not.

MR. T. D. SULLIVAN (Dublin, College Green): English Railway Companies can make branch lines if they think fit, because they are prosperous concerns, while Irish Railway Companies cannot do so for the contrary reason. That is the question in a nutshell. Besides, the English taxpayer has obtained a good deal of Irish money, and it is neither fair nor just for hon. Members to argue in this manner. A large portion of the defence of this measure is to be based on this ground—that Ireland is poor, and has been kept poor by British policy and legislation, and this is but a paltry return for this country to make. I do not very greatly wonder that some English Members should be found to oppose this Bill. I greatly wonder that any Irish Members are found to oppose it. For myself I shall give it all the support in my power, come from what quarter it may. It is true it is given to us by a Government which has spent the greater part of its time in breaking our heads and sending us to prison. Nevertheless, I do not see any reason for rejecting this measure.

*MR. SPEAKER: I am sorry to interrupt the hon. Gentleman, but he must confine his remarks to the Amendment.

MR. T. D. SULLIVAN: I will merely say, then, that I wish to oppose the Amendment.

MR. M. J. KENNY (Tyrone, Mid.): I wish to point out to my hon. and learned Friend the Member for Dundee that the practical effect of this Amendment, if carried, will be to exclude from the operation of the Bill the very portions of Ireland which really most require railway communication. I consider that would be a most unfortunate result; and I trust that the hon. and learned Gentleman, who has a logical mind, will not press an Amendment which will defeat the real purpose of the Bill.

*MR. CHANCE: I am afraid my hon. Friend hardly appreciates the force of the Amendment. He forgets one vital fact, and that is that the expense of working the various lines under the Bill will fall on the districts. These lines are to be constructed in the poorest districts, and the cost of working will fall upon the poorest and most wretched baronies. There is a wholly unlimited guarantee. It may be 5s., or 10s, or 20s. in the £1, and it will have to be given by the people who are supposed to be benefited. I do not myself believe that a railway which is first constructed for nothing and which then will not pay for working can be of any benefit. It seems to me to be an abuse of common sense to imagine that a railway which will not pay for its coal and oil is an advantage to any district; and if a district is so poor that it cannot afford traffic to pay for the coal and oil it ought to be guarded from the unqualified liability which will be imposed upon it in case of a break-down.

MR. MARUM (Kilkenny, N.): I should like to point out that the Royal Commission say in their Report they feel it their duty to recommend the State to undertake far larger responsibility in connection with these works in Ireland than would be desirable in other parts of the United Kingdom, and that unless the help of the State can be given it cannot be expected that the works they suggest can be executed.

MR. BIGGAR: It is all very well to talk about making lines in districts where there are nothing but stones and never will be any traffic. You may benefit a few beggarly shopkeepers; but I really think we ought not to be asked to tax the people for these schemes if the responsible authorities do not think they will pay expenses. The people who live in these districts are very badly off, but though the people are badly off you are not going to give them crops by making railways. I am not satisfied with the course that some Irish Members have taken as to this Bill, for they have actually said to me that unless certain provisions are inserted in the measure the ratepayers are going to be plundered, and yet, even though those provisions have not been inserted, they are supporting the Bill.

MR. A. O'CONNOR: I do not know that I should feel much more satisfied with the Lord Lieutenant's estimate of the probable paying character of a projected railway than I am as to his satisfaction at the legal acquirements of the Resident Magistrates; but I should like to ask either the Chief Secretary or the Solicitor General a very practical question. In the east of Donegal there are two lines of railway, from one or other, and perhaps from both, of which there will be extensions into the north-west or south of Donegal. The question I wish to put is this: Suppose the contemplated extension should not pay its working expenses, will there be any further expense thrown upon my constituents, or will there not?

*MR. MADDEN: Any Company holding a working agreement with a Railway Company may apply for a guarantee from the Treasury, and, of course, the Treasury will have to satisfy themselves that the line will be worked. The guarantees under the Act of 1883 will apply to the lines which may be promoted under the Act of 1883, with the Treasury assistance derived from this Bill.

MR. A. O'CONNOR: What I ask is —[*cries of* "Order!"]—will my constituents have to pay the working expenses?

*MR. SPEAKER: Order, order!

The House divided:—Ayes 33; Noes 148.—(Div. List, No. 326.)

MR. CHANCE: I beg to move an Amendment to provide that railways under this Act shall be constructed by existing companies or promoters having working arrangements in existing companies. I very much fear transactions of this character—that people starting

a company will come and say, "We cannot get an existing company to take this up for us," and will then, having got some capital advanced, obtain a guarantee and sell to an existing company, which will have the advantage both of the capital advanced and also of the guarantee. The Commissioners in their Report of last year recommended that these operations should be confined to existing companies, and that if existing companies would not make the necessary railways power should be taken to compel them on fair terms. My Amendment only gives the Lord Lieutenant power to act; it is not compulsory.

Amendment proposed, in page 1, line 13, after the word "that," to insert the words "such of the provisions of this Act as may be set out in said Order."—(*Mr. Chance.*)

Question proposed, "That those words be there inserted."

*MR. MADDEN: I hope the hon. Member will not persevere with this. The Order in Council is an Order merely declaring that for certain reasons it is desirable that lines under this Act should be permitted in certain places. At that stage of the proceedings it cannot be determined whether the line shall be made by an existing Railway Company or an independent company of promoters. And it should not be determined at that stage, because once you decide that a line should be constructed between certain points the greater the competition the better. One of the main objects is to get healthy competition between adjoining railways on the one hand, and persons interested in the locality on the other. The effect of the Amendment would be to strangle competition in its birth.

MR. CHANCE: I do not say this must be done, but that the Lord Lieutenant may have power to do it. I can conceive circumstances in which it would be desirable that this power should be exercised.

MR. PHILIPPS: I do not understand the speech of the hon. and learned Gentleman. Where you are going to make railways that are not going to pay the cost of their construction, it is rather ridiculous to have competition. It would be bad enough to have one railway that does not pay working expenses, and if you are to have a competing line of the same kind it will be worse than ever. If the hon. and learned Gentleman's speech does not mean that, I do not know what it does mean.

MR. BIGGAR: I do not understand the speech of the Solicitor General for Ireland, or that of the hon. Member who has just sat down. Does the Solicitor General mean that patronage should be extended to a class of promoters who intend when their line is constructed to sell it to some one else? I think we should only deal with *bonâ fide* parties. It would be a ridiculous thing for a company which has no means of carrying on a railway to come for power to construct one in the hope of being able to sell it to some one else. Such a thing should never be allowed. The Bill will extend patronage to a class of people with neither money nor character, but who are able to get at the right side of the Secretary to the Treasury or the Solicitor General for Ireland for the time being, and get power to make a line which they can either sell at a profit or allow to drop.

The House divided:—Ayes 31; Noes 147.—(Div. List, No. 327.)

Other Amendments made.

On Clause 3,

*MR. CHANCE: I have to move as an Amendment to this clause the insertion after the word "traffic" in line 21, page 1, of the words—

"and having for at least five years immediately preceding the passing of this Act paid a dividend of at least three per centum per annum upon all its stocks and shares."

Earlier in the Debate the learned Solicitor General for Ireland told us again and again that Her Majesty's Government would take proper securities from existing Railway Companies working under the Bill that no charge should fall on the baronies. I ask is it proper to give public money to any kind of line? When you once advance the capital to some impoverished or insolvent Railway Company can you get any sort of guarantee or security that it will be properly expended? For my part I do not believe you can. In Ireland there are numbers of these small railways which cannot pay principal and interest on the original outlay, let alone

dividends on ordinary stock, and it is unwise to hand over public money as a free gift to these insolvent or impoverished undertakings. It would be much wiser to give it to a new company starting with a clear book. If you advance the proposed sums to companies already up to their eyes in debt they will only try to pocket as much as they can out of it, putting on their lines all their old carriages, and worn out stock, or selling them to new companies at the price given 15 or 20 years before. I submit that, under such circumstances, you cannot expect to get anything like reasonable security. We have heard a good deal from the Government about security, and now we come to the bottom of it we find that the security referred to is to be that of Railway Companies that have not been able to pay a dividend for years I trust my Amendment will be accepted.

Amendment proposed, in page 1, line 21, after the word "traffic," to insert the words—

"and having for at least five years immediately preceding the passing of this Act paid a dividend of at least three per centum per annum upon all its stocks and shares."—(*Mr. Chance.*)

Question proposed, "That those words be there inserted."

*MR. MADDEN: I am unable to accept the Amendment of the hon. Gentleman, who need not be under any fear that the guarantee of such companies as he has described will be accepted by the Treasury.

*MR. CHANCE: Exclude them, then.

*MR. MADDEN: The hon. Gentleman says "exclude them," but he seeks to exclude them unfairly. What the Bill does is to exclude insolvent companies by investing discretion in the Treasury Authorities, who will be bound to satisfy themselves that the guarantees offered by the Railway Companies are satisfactory. I hope the hon. Gentleman will not persevere with his Amendment, which would prevent the acceptance of the guarantee of any Railway Company, unless it had paid a dividend of 3 per cent for five years on all its stocks and shares. It is well-known that there are companies which are very heavily weighted with preferential shares, whose guarantee would be quite satisfactory to the Treasury, and yet who would not be able to satisfy the Treasury in the terms of the Amendment that they had paid a dividend of 3 per cent for five years on their ordinary stock. I trust, therefore, the hon. Gentleman will not persist in his attempt to lay down a hard and fast rule which would exclude companies able to offer good security.

MR. BIGGAR: I have sometimes asked the Secretary to the Treasury questions as to this and that local railway in the best parts of Ireland, and the answer I have universally got is that those companies are in arrear with their interest. Of course there are numbers of large companies whose security is first-rate, and who would carry out any contract they might enter into, because they could be forced to do so; but if the Treasury is going to treat with such companies as my hon. Friend describes, the guarantees they might give would not be worth the paper they were written on. Supposing these transactions are to be honest and substantial, we ought to pass some such provision as that contained in the Amendment, even if it were only to save the Secretary to the Treasury from being constantly badgered by applications from insolvent companies.

MR. HALLEY STEWART: I think the Amendment too extreme in its scope. In the Grand Committee I supported a proposition that the Railway Company giving the guarantee should at least have paid some dividend during two or three years. I do not know whether the Solicitor General is in a more conciliatory mood than when we were in Committee, but if he be, he might make it clear that the Railway Company should be to some extent solvent.

MR. E. ROBERTSON: I desire to connect the refusal of the Government to accede to this Amendment with their refusal to accept the Amendment moved by me, that the railway should pay its working expenses. The result of this double refusal is that the Bill we are about to pass into law will simply be a Bill to enable the Government to lend money to companies which cannot pay their debts in order to make railways which will not pay their working expenses.

MR. CHANCE: After the attitude taken by the Government in this matter I will ask leave to withdraw my Amend-

ment, as I do not wish to put the House to the trouble of a Division.

Amendment, by leave, withdrawn.

MR. BIGGAR: I wish to move an Amendment which will prevent the gauge being broken, and I hope that the Government will see their way to accept it.

Amendment proposed, in page 1, line 21, after the word "traffic," to insert the words—

"And undertake to make the proposed new line of the same gauge as the then existing line, and run the proposed new line in connection with it."—(*Mr. Biggar.*)

Question proposed, "That those words be there inserted."

COLONEL NOLAN: I think this is a fair Amendment, and not like some of the others which have been proposed for the purpose of taking up time. I quite agree with the hon. Member for Cavan that if the new lines are short it is not worth while breaking the gauge, but if the new line is, say, 50 miles in length, it might be cheaper to have a narrow gauge than that which is generally found on Irish railways and which is somewhat broader than the usual English gauge. It would, however, be better to leave this matter in the hands of the Treasury.

MR. STOREY: It was very gracious on the part of my hon. Friend to admit that this is a fair Amendment, although he complains that some of the previous Amendments we have proposed have not been fair. We prefer, however, our own judgment upon the matter, whether or not they are fair. Now, I dispute his statement that the narrow gauge railway would cost a good deal less than a broad gauge line. Where does he get his authority for that? You sent a Royal Commission to Ireland and their Report discusses this very problem. The Commissioners said they were persuaded that in the result there was really no saving in adopting a narrow gauge line. As I understand this Amendment, however, it provides that there may be two gauges, because there are two already in Ireland, and it will be quite possible where there is a narrow gauge railway to continue that line on the same gauge. I think the advantage of not breaking the gauge is so clear that the Government can have no difficulty in accepting this Amendment.

*MR. A. J. BALFOUR: I trust the House is not going to enter into the interminable controversy as to the merits of broad and narrow gauge lines. The Government cannot accept the Amendment. Strong reasons would be required to induce the Government to allow a change of gauge, but if it is shown that there will be a saving of cost, of construction or of working, by making the new railway on a narrower gauge, there is no reason why the discretion of the Lord Lieutenant in Council should be hampered.

The House divided:—Ayes 33; Noes 153.—(Div. List, No. 328.)

MR. STOREY: I have next to move an Amendment which will, in effect, provide that the Government shall not give or lend more public money to Irish Railway Companies which are at present in arrear, for either principal or interest in connection with previous loans. Now the record of our present transactions with the Railway Companies in Ireland is not a very satisfactory one. We find that there are at the present time arrears of principal outstanding to the amount of £200,000, and of interest to the amount of £114,000, or, in other words, that the Irish Railway Companies owe the Exchequer no less than £314,000 of money which is overdue. I ask what is the use of lending money to companies which are in this condition. Apply the principle to the case of a private person. Suppose that one of us sought to borrow money from another hon. Member of this House. If he were previously indebted to that hon. Member he would probably be told that he already owed so much for principal and interest, and that no further loan could be granted him unless he paid up the arrears. If such a principal applies to private cases, why should it not equally apply to Public Companies? Why is Ireland to be treated differently from any other country? You are, in fact, going to treat Ireland as a spoilt infant, instead of as a self-respecting man, and I prefer that Ireland should be treated as a self-respecting man. I am quite willing that we should have these dealings with the Irish Railway Companies if they are solvent and paying concerns; but if they are only sham companies

which borrow money and never mean to pay it back then, I say we ought not to lend them any more. I am strengthened in that conclusion by what I see in the second part of this clause, by which you are going to make these grants to the promoters of Light Railways. Just think what you are doing. You are going to deal with promoters who may be mere nobodies. These promoters may make a bargain with the Railway Company which may absolutely be in arrears with its payments of principal and interest to the Exchequer, and the hands of the Treasury will be tied under this clause, for they will be compelled to hand this money over to the promoters, although the prospects of getting it repaid will be very slight indeed. I do trust that the Government will accept some reasonable Amendment in this matter. I do not think that we on these Benches are open to the reproach which has been levelled against us, that we are obstructing this Bill. We have adopted a proper Parliamentary plan. We have stated our objections with brevity, and as clearly as possible, and then we have divided upon them. Some of our Irish Friends have dignified that conduct with the name of obstruction. I say it is not obstruction at all; it is an ancient Parliamentary practice adopted by minorities in this House. We have none of us spoken long, and we have only asked for a reasonable answer. Now I wish to ask this: Is it fair to take the public money belonging to the taxpayers of this country and to give or lend it to Railway Companies which admittedly, at the present time, are in arrear with both principal and interest in respect of previous loans? Why cannot the Government accept such a limitation as we suggest?

Amendment proposed, in page 1, line 21, after the word "traffic," to insert the words "and which does not owe arrears of principal or interest to the Government."—(*Mr. Storey.*)

Question proposed, "That those words be there inserted."

*Mr. A. J. BALFOUR: I think that the argument of the hon. Member for Sunderland would have been a powerful one had the proposal of the Government been to increase the obligations of the Railway Companies to the Government. But that is not so. We do not propose to lend money to an already insolvent undertaking. That would be opposed to all common sense. What we propose to do is to give money for the construction of new Railways. So far, therefore, from having the effect of increasing the liabilities of over-burdened undertakings, I would suggest that the extension of lines might have the effect of making existing lines solvent, if they are not already solvent. But I entirely agree with the hon. Gentleman that if we propose to make loans to Companies which at present cannot pay their arrears of interest, it would be a foolish mercantile transaction; and I repeat that that is not our proposal.

Mr. E. ROBERTSON: The right hon. Gentleman seems to have overlooked Sub-section 3 of Section 4, which says that the Treasury may give or lend the money. The Bill proposes to enable the Treasury to do the very thing which the right hon. Gentleman admits to be unreasonable.

*Mr. A. J. BALFOUR: The loan in such a case would not be made on the security of a bankrupt concern. It would be made simply for the construction of a new line.

Mr. E. ROBERTSON: I understand the right hon. Gentleman to make the sensible admission that to lend money to a Company which already is in arrears with its payments on previous loans would be an unreasonable thing to do. I now call his attention to Sub-section 3 of Section 4, and ask him if he will be willing to make such an Amendment in that as will prevent the handing over the money on loan to a Company in arrears. If he will do that, I think my hon. Friend may withdraw his Amendment.

Mr. PHILIPPS: The right hon. Gentleman the Chief Secretary says that the money which would be lent to an insolvent railway would not be on the security of that railway, but on the security of a line to be added to it. Now, it seems to me, that is only making bad matters worse. If you have got 50 miles of railroad already bankrupt, and are going to lend the Company money to extend that line another 50 miles, it is obviously making bad worse. It is throwing good money after bad in an extraordinarily reckless way. I think the Government might well accept

this Amendment in the interests of the taxpayers, not only of England and Scotland, but also of Ireland, the unfortunate people of which will have their rates made heavier by the extraordinary investments the Government intend to plunge into.

MR. BIGGAR: On the question of security, I should like to point out that unless the existing railway is able to pay its working expenses and its interest on borrowed money, there will be no real security for any money to be advanced for the purposes of an extension of the line, and I do hold that the Government should not encourage schemes of that sort.

MR. T. D. SULLIVAN: It seems to me that the argument used by the hon. Member for Lanark was that a bad business could not possibly be made better. I entirely differ from that view. I believe all business men in this country know that it is often through an extension of credit that a man is enabled to retrieve his misfortunes and pull up his business. I, therefore, hope that the right hon. Gentleman the Chief Secretary will persevere with his opposition to this Amendment.

MR. COURTNEY (Cornwall, Bodmin): I would suggest that this matter of the policy of lending or giving money to a Company already in debt might much better be raised on Sub-section 3 of Section 4.

MR. STOREY: I hope the Government will accept the suggestion of the right hon. Gentleman to consider this point at a subsequent stage of the Bill. If they will do that, I will consent to withdraw my Amendment.

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I think the right hon. Gentleman, if he looks into the mat er, will see that what he said ought to be qualified to this extent—that the loan is only to be in regard to new works.

Amendment, by leave, withdrawn.

MR. E. ROBERTSON: We now come to the really contentious part of the Bill. Hitherto we have had smooth water and plain sailing, but from this point forward I am afraid the conflict as to principle will be considerable. The House may not be aware that at the point we have reached the alteration was made which we contend entirely changed the character of the Bill, and what I propose to do in this Amendment is to strike out words which were improperly imported from Part II. and leave this portion of the Bill as it stood after the Second Reading. The Amendment, as I have put it on the Paper, is, perhaps, too wide; therefore, I propose to omit the words from "or (b)" down to "Company." The scheme of Light Railway construction sanctioned by the Second Reading was first that existing Railway Companies should have assistance given to them by way of free grant, or loan, or annual payment, subject to such security as is afforded by the scheme of the old Act. That was Part I. of the Bill. The second part of the scheme—in Part II. of the Bill—dealt with all other persons promoting these Light Railways. They were not to receive grants or loans or annual payments, but guarantees. There were two elaborate securities, one of which was intended to protect the localities through which the railways ran, and the other of which was intended to protect the Treasury. By a soft and silent sidewind this important Amendment was introdnced in Committee, whereby nondescript proprietors were introduced to benefits in Part I. without any of the securities which were originally imposed in their regard in Part II. It was thought that Irish Railway Companies having railways open for traffic at all events had a stake in the country and were Corporations with which the Treasury could deal. It was thought that they could be trusted to carry out the powers of the Bill, but, of course, no one could say the same thing with regard to promoters other than Railway Companies. Promoters other than Railway Companies were in no way defined in the existing Bill, and they are in no way defined in this Bill except under a phrase subsequently introduced on my own Motion in Committee which required them to be members of public Companies. Except that they are persons who have made an agreement with a Railway Company, or who have made an application that a Grand Jury should guarantee a dividend on the paid-up capital of a Light Railway, the promoters themselves are not defined. They may be anybody. We have had by anticipation a graphic description from the hon. Member for Cavan—who knows the whole question

as well as anyone in this House—of the character, credit, and responsibility of these promoters. No one can pronounce an opinion on that matter who does not know Ireland well. I do not know it well, but the hon. Member for Cavan does, and he has given us his view of the matter. The object of my Amendment is to remove from Part I. of the Bill these nondescript promoters, who ought to be dealt with in Part II. The immediate question raised is whether these promoters, who make contracts with existing Railway Companies, should be admitted to benefits originally intended by the Bill for such companies only. The security afforded by a contract with an existing Railway Company would be inferior to that afforded by a Railway Company itself. The Government would be more safe dealing with companies having railways open for traffic than they would be dealing with promoters who merely say that they will get companies to work their lines if they have facilities for making them. I ask the Government whether it is wise to allow this clause to stand as at present framed. I propose to restore the Bill to the condition in which it passed the Second Reading, and I appeal to the deliberate opinion of the House, as pronounced on the occasion of the Second Reading, to support me.

Amendment proposed, in page 1, line 21, to leave out after the word "traffic," to the end of Clause 3.—(*Mr. Edmund Robertson.*)

Question proposed,

"That the words 'or (b) where the promoters have made an agreement approved of by the Treasury for the maintenance, management, and working of the Light Railway by such a Railway Company' stand part of the Bill."

*Mr. A. J. BALFOUR: The hon. Member seems to think that the alternative is as between the Bill as it now stands and as it was originally introduced, but as a matter of fact it is as between the Bill as originally introduced and as it has been amended by the hon. Member for Cavan. If the hon. Member were to cut out that part of the Bill we are now considering the effect would be to render it of no value whatever to the distressed parts of Ireland. The hon. Member talks as if the only qualification is to be that the promoters have made some offer to a Company or some application to a Grand Jury. He forgets that the promoters have, in the first place, to run the gauntlet of the Grand Jury before whom anybody can be heard against them, and that in the next place they have to run the gauntlet of the Privy Council, which has shown itself most critical in examining their claims. Then an examination of increased stringency has to be made by the Irish Board of Works, and, finally, the Treasury has to approve of the scheme. Under the circumstances, I do not think the hon. Member need be in the least alarmed that bogus promoters will have the working of these lines in their hands. I trust the House will not allow itself to be alarmed into accepting an Amendment which would destroy what we believe to be one of the most valuable provisions of the Bill.

Mr. BIGGAR: I think that instead of especially encouraging this clause of the Bill we should especially discourage it. It originally only applied to promoters under contract with Railway Companies, the idea being that Railway Companies possessing rolling stock would form a good security. May I point out it will be possible for the promoter under the present arrangement to disappear when he has got the money and there will then be nothing for the Government to fall back upon? I venture to warn the Government that unless they adopt some such safeguards their scheme will bring them nothing but disgrace.

Mr. STOREY: I should like to point out that now the promoters will not have to go to the Grand Jury at all. They will be in a position to make an agreement with an existing Railway Company, and the result will be this: "A" goes to the Government and gets a capital sum for the making of a railway. He tells the Government before he gets it that he has agreed with the Railway Company to maintain and work the line. It is evident that the Railway Company do not agree to maintain and work the line without getting something for it, and you may be sure the consideration handed over to the company will be included in the sum obtained from the Government, together with all the promotion money, and the costs and charges in connection with the formation of the company. "A" thereupon

sets to work to make the line. There is no sufficient security that he will make the line properly, either as to ballasting, weight of the rails, the class of the rolling stock, or the permanence of the buildings. We have no sufficient guarantee in the Bill that these matters will be properly attended to. He makes the line, there is a sort of examination by a Board of Trade official, and "A" then gets the money, and is done with the whole transaction, for he has bargained with the Railway Company to work and maintain the line henceforth, and he walks out of the business altogether. Is it not apparent to the right hon. Gentleman that in such a transaction you may get a promoter whose one business it would be to make the capital sum as large as possible and to carry the works out in as cheap and inefficient a manner as possible, so as to get as much as he can out of the transaction for himself? Ought not the Government to take steps to prevent such a case arising? We say that it will be possible under the Government scheme for promoters to act in this way, and therefore we are offering strenuous opposition to the Bill; and I believe that if this Bill had been before the Grand Committee in June instead of in August, and if we had had adequate opportunities for discussion, these dangers would have been amply safeguarded against.

The House divided:—Ayes 147; Noes 32.—(Div. List, No. 329.)

MR. COSSHAM: I now beg to move the adjournment of the Debate, and I hope the Government will agree to that Motion. We have been engaged on this Bill for eight hours, we have given every attention to it and have done our utmost to facilitate its progress. I hope the Government will now agree to an adjournment.

*MR. SPEAKER: I consider it my duty not to put that Motion. The House has, by resolution, expressly exempted the Bill from the Twelve o'clock rule, and in the face of that Resolution it would be unreasonable to put a Motion for adjournment at a few minutes after twelve.

MR. CHANCE: The Amendment I have to propose has relation to the tolls, rates, and charges, to be levied by the proposed Companies. Of course I admit that I have got some distance in the direction I desire to go, by the adoption of the Railway and Canal Traffic Act Clauses. But under that Act there is only power to fix the scale of maximum charges, not of the working charges, and, of course, there are the arrangements against undue preference and in favour of equitable running powers which that Act secures. But the powers of the Act do not give the Railway Commissioners power to carry out the spirit of this Bill and to see that rates are settled for the encouragement of the special industry on behalf of which the railway is promoted. Suppose the Government give £100,000 for the development of a fishing industry by the construction of a line, it is only reasonable that the Government should be satisfied that the rates and tolls for the conveyance of fish should be such as to encourage the fishing industry of the district; that, in fact, fish should be conveyed at an exceptionally low rate. As yet there is no provision in the Bill that the Treasury shall have this control, and therefore I move my Amendment.

Amendment proposed, in page 1, line 23, after the word "Company" to insert the words—

"And for the tolls, rates, and terminal charges to be levied by such Railway Company in respect of such Light Railway."—(*Mr. Chance.*)

Question put, "That those words be there inserted."

The House divided:—Ayes 31; Noes 144.—(Div. List, No. 330.)

MR. E. ROBERTSON: I have now to move the omission of the words after the word "company" to the end of the sub-section.

MR. KIMBER (Wandsworth): On a point of order may I ask whether the form in which the Amendment is put will allow of additions being made to the end of the sub-section?

*MR. SPEAKER: Yes; certainly.

MR. E. ROBERTSON: The form of this sub-section was discussed upstairs, and though I thought the expression was unusual, I was assured it was usual and sufficient. But the substance of my Amendment is to prevent the bringing into this Act promoters who have no qualification other than that they have gone before the Grand Jury and proposed that the Grand Jury shall give

a guarantee. I believe the form of the sub-section is taken from the old Bill, with this difference—that in the present case all that the promoter has to do is to apply for a guarantee for a portion of the paid-up capital of his concern. I do not know how the paid-up capital is to be advanced.

Another Amendment proposed, in page 1, line 23, to leave out from the word "Company" to the end of Clause 3.—(*Mr. Edmund Robertson.*)

Question proposed—

"That the words 'or (c) where the promoters in making application to the Grand Jury of any county under the Tramways (Ireland) Acts propose that a' stand part of the Bill."

*MR. A. J. BALFOUR: I hope the hon. Gentleman will not think me discourteous if I say that my answer to his previous Amendment has equal force as opposed to this.

MR. PHILIPPS: It appears to me this is a most reasonable Amendment, and I think that the Government might make us some statement as to whether they are willing to accept any Amendment.

COLONEL NOLAN: I think that is an excellent suggestion. Let the Opposition say what Amendments they mean to press; let the Government say if they are prepared to accept any of them, and this arrangement may prevent us sitting here to 3 or 4 o'clock.

MR. BIGGAR: It seems to me that the Government should have something more to say as a reason for rejecting this Amendment, because B and C are wholly different sub-sections. So far as the words of this section go, and unless they carry some meaning that does not appear on the surface, any half-dozen men can go before a Grand Jury and apply for a guarantee under the provisions of some scheme, it may be of a very visionary nature, and subsequently go to the Government with the guarantee and claim Government assistance for their scheme. It seems to me to be a very uncertain sort of business, and that some better warrant of the *bona fides* of the parties should be given than this Bill provides.

MR. HALLEY STEWART: I feel we are engaged in a hopeless task in endeavouring to persuade the Government to forego this part of the Bill; but I cannot imagine that there was ever a clause presented to the House which more completely violated every sound principle of finance, and I am sure that the effect will be to give every encouragement to bogus companies.

*MR. CHANCE: I want to point out that this part of the clause, in plain common sense, really does require some modification. The soundest course would be to omit it altogether. When the Bill originally came before us all the new companies were to get was a guarantee of an annual sum, and that guarantee was made strictly conditional on their doing the work of constructing a line and working it. If, as under the old Act, a line ceased to be worked, the companies were to lose the benefit of the annual sum otherwise paid. Furthermore, a number of checks were provided. Now, however, as well as a capital sum, the companies are to get a guarantee without checks. There is nothing to prevent promoters getting a guarantee of, say, £10,000 from a Barony and a grant of £100,000 from the Treasury. This would show that the proposed line in the opinion of the Barony is worth something. The line may really be worth no more than £50,000, and the moment it is established the promoters may sell it for £50,000, which, deducting the amount they may have subscribed, may leave them a profit of £40,000. I challenge the Solicitor General for Ireland to say whether that is true or not. Another objection is this: Suppose the Treasury has put down £100,000 as a capital sum, and suppose the Barony has given a guarantee on £10,000 of capital, they will have a concern costing £110,000. If the concern becomes fruitful the people who have subscribed only £10,000 out of the £110,000 will get the whole of the earnings. They will have to repay to the barony only the 5 per cent dividend they have received, which will be rapidly cleared off. I submit that this is not a proper state of affairs, and that there ought to be a provision in the Bill to require the promoters to pay back the money advanced to them. Is there anything in the Bill to enable the Treasury to get back a penny of the money advanced to them? Is there anything to prevent the promoters selling a line the day after it is constructed? Is there anything to prevent them putting in their pockets the whole of the earnings of a line? If there is not

there ought to be. The Government assume that the promoters will act fairly and honourably, but while no doubt the majority of promoters will be honourable men, some may not be. You may see London financial agents going over to Ireland like swarms of locusts, and getting guarantees right and left for what they can make out of them.

*MR. MADDEN: The two things the public want are the construction of these lines and their maintenance. We provide for the construction, and it will be absolutely impossible for a line to be constructed unless the Treasury are satisfied that there is sufficient guarantee for its maintenance.

The House divided:—Ayes 141; Noes 26.—(Div. List, No. 331.)

MR. BIGGAR: I would point out that the clause as it stands would apply to cases in which the promoters of a railway propose "that a barony or baronies in a county should guarantee the payment of dividends." I move, as an Amendment, to strike out the words "barony or baronies," and to insert in their stead—

"District, said district in no case to extend beyond four miles from a station on said proposed new line."

Amendment proposed, in page 1, line 26, to leave out the words "barony or baronies," and insert the words—

"District, said district in no case to extend beyond four miles from a station on said proposed new line."—(*Mr. Biggar.*)

Question proposed, "That the words 'barony or baronies' stand part of the Bill."

*MR. MADDEN: Under Part II. of the original Bill there was a provision under which the district benefited would have been marked out, the cost being levied on that district. When the change was made in the Bill the proceedings come under the Act of 1883. This Amendment would be inconsistent with the Act of 1883, and contrary to the decision we have already come to.

The House divided:—Ayes 137; Noes 24.—(Div. List, No. 332.)

Amendment proposed, in page 1, line 29, at end of Clause 3, to insert the words—

"Provided always, that no guarantee under this section shall exceed the amount of a rate of sixpence in the pound upon the net annual value for the time being of the several hereditaments and tenements within the benefited district in the county."—(*Mr. Handel Cossham.*)

Question, "That those words be there inserted," put, and negatived.

MR. BIGGAR: I will now move the next Amendment which stands in my name. I do not see why the guarantees should continue if the promoters are not able to carry out their contract, and I hope the Government will see the advisability of accepting this Amendment.

Amendment proposed, in page 1, line 29, at end of Clause 3, to insert the words—

"Provided always, that all guarantees of whatever kind shall cease and determine as soon as any guaranteed line ceases to be worked for traffic."—(*Mr. Biggar.*)

Question proposed, "That those words be there inserted."

*MR. MADDEN: There are no guarantees provided for here. All that is provided for is the advance of money by way of gift or loan, but there are no guarantees under this Bill. The House has been more than once reminded that the Treasury will exercise their discretion in seeing that there is sufficient security for the carrying out of the working arrangements.

MR. STOREY: The hon. and learned Gentleman is surely wrong in saying there is no guarantee. There is a distinct guarantee from the Treasury, which has to pay one-half. Is not that so?

*MR. MADDEN: Yes, under the Act of 1883.

MR. STOREY: Very well, then; that is a Treasury guarantee to all intents and purposes. This being so, can anything be more reasonable than that, if a line prove to be a failure and cease to work, the guarantee shall also cease? The Royal Commissioners recommended that any assistance to be given under the Act should be under some provision for its ultimate discontinuance, and this Amendment is only carrying out that recommendation. If the Government are disposed to accept any Amendment that is at all reasonable, they ought, although we are in a minority and cannot enforce it, to accept this.

*MR. A. J. BALFOUR: The Government cannot accept an Amendment which, if it were inserted, would render the scheme financially unworkable. The

money could not then be borrowed on reasonable terms.

*Mr. CHANCE: Under this Bill the Treasury bargain to pay an annual sum, and although, technically, that is not a guarantee, it is so practically. We ask that this annual sum shall not be paid if the line ceases working. Supposing the line is abandoned and disappears, is it reasonable that the payment should continue?

The House divided:—Ayes 26; Noes 134.—(Div. List, No. 333.)

Amendment proposed, in page 1, line 29, at end of Clause 3, to insert the words—

"Or where the promoters show that such a guarantee in respect of a portion of their capital has already been given by a barony or baronies by virtue of any Parliamentary authority."—(*Mr. Kimber.*)

Question proposed, "That those words be there inserted."

Amendment, by leave, withdrawn.

Amendment proposed, in page 2, line 9, after the word "respects," to insert the words—

"(Including terms and conditions as to rates, tolls, terminal charges, and train services, as having special regard to the interests of the industries requiring to be developed and the circumstances of the district.)"—(*Mr. Chance.*)

Question proposed, "That those words be there inserted.

Amendment, by leave, withdrawn.

Other Amendments made.

*Mr. CHANCE: The next Amendment I desire to press is one to strike out from Clause 5 the word "promotion," and substitute therefor the word "construction." I do not know whether there is any special charm in the word "promotion," but it seems to me strange that it should be used in connection with the Privy Council when the word "construction" will serve the same purpose.

Amendment proposed, in page 2, line 31, to leave out the word "promotion," and insert the word "construction."—(*Mr. Chance.*)

Question proposed, "That the word 'promotion' stand part of the Bill."

*Mr. MADDEN: On technical grounds I think the word "promotion" should be retained, as it is necessary to give the Railway Companies statutory powers to promote.

Mr. CHANCE: Very well. It is a mere technicality, and I will therefore withdraw the Amendment.

Amendment, by leave, withdrawn.

Amendment proposed, in page 3, line 36, after the word "made," to insert the words—

"(a.) The first regulation contained in Schedule (A) to the said Act, Part I., shall be read and construed as if after the words 'purchase of lands' there were added the words and figure following, that is to say:—

(5.) The several parishes, townlands, and baronies in every county constituting the district proposed as the benefited district and the nature of the guarantee which is to be applied for from such district."—(*Mr. Chance.*)

Question proposed, "That those words be there inserted."

Amendment, by leave, withdrawn.

Bill read the third time, and passed.

REGISTRATION OF ASSURANCES (IRELAND) BILL. (No. 318.)

Order for Second Reading read, and discharged.

Bill withdrawn.

LOCAL REGISTRATION OF TITLE (IRELAND) BILL. (No. 317.)

Order for Second Reading read, and discharged.

Bill withdrawn.

PREFERENTIAL PAYMENTS IN BANKRUPTCY (IRELAND) BILL. (No. 319.)

As amended, considered; read the third time, and passed.

SCHOOL BOARD FOR LONDON (PENSIONS) BILL. (No. 54.)

Order for Second Reading read, and discharged.

Bill withdrawn.

SHERIFF COURTS CONSOLIDATION CIVIL CODE (SCOTLAND) BILL. (No. 154.)

Order for Second Reading read, and discharged.

Bill withdrawn.

House adjourned at Two o'clock.

HANSARD'S PARLIAMENTARY DEBATES.

No. 15.] SEVENTH VOLUME OF SESSION 1889. [AUGUST 28.

HOUSE OF COMMONS,

Tuesday, 20th August, 1889.

EAST INDIA, BOMBAY-BURMA TRADING CORPORATION.

Address for—

"Return of Contract between the Secretary of State for India and the Bombay-Burmah Trading Corporation referring to the Teak Forests of Upper Burma, and Correspondence relating thereto."—(*Sir Roper Lethbridge.*)

POOR RATES, &c., SCOTLAND.

Order [16th May] for a Return relative to Poor Rates in Scotland read, and discharged.—(*Mr. Donald Crawford.*)

QUESTIONS.

—o—

EDUCATIONAL ENDOWMENTS (SCOTLAND) ACT.

MR. HUGH ELLIOT (Ayrshire, N.): I beg, Mr. Speaker, to ask you the following question on a point of order:—Whether, when a scheme under the Educational Endowments (Scotland) Act, 1882, is laid upon the Table of the House of Commons, and an Address to the Crown is moved against such scheme, it would be in order, upon such Motion being put, to move that the said scheme be referred to a Select Committee to examine into the merits of the scheme and report to the House within the statutory period required by the Act for the consideration of these schemes by Parliament? I ask the question because a considerable number of schemes of great importance are coming before the House next Session, and we should like to know what the procedure of the House of Commons is with regard to these schemes before they are actually laid on the Table.

*MR. SPEAKER: In reply to the hon. Gentleman, I have to say that I do not think it would be in order, when a scheme comes before the House in the circumstances stated by the hon. Member, to move an Amendment that that particular scheme be referred to a Select Committee. The course is prescribed by Statute that an humble Address be presented to Her Majesty praying Her Majesty to dissent from or amend a particular scheme, but a Motion such as that suggested by the hon. Member to refer a particular scheme to a Select Committee, would be outside the machinery provided by the Statute, and would have to be made if the hon. Gentleman wished to make it as an independent Motion.

THE NATIONAL SCHOOL, COLSTERWORTH.

MR. HALLEY STEWART (Lincolnshire, Spalding): I beg to ask the Vice President of the Committee of Council on Education if he is aware that on Monday, 29th July, some 34 children of the National School, Colsterworth, Lincolnshire, were absent from afternoon school to attend a picnic of the Band of Hope Total Abstinence Society, under Nonconformist management; that the Rector of Colsterworth, the Rev. J. Mirehouse, a Trustee and Manager of the School, the following week ordered several of the school children to act as his amanuenses, and to write letters to the parents of the absentees, which he personally addressed and signed, the following being a copy of one of such letters:—

"To Mrs. Wilson, — Your child, Kate Wilson, was absent from school on the afternoon of Monday, July 29. J. Wilson was told by the schoolmaster, as well as by me, that a half-holiday could not be granted. Instead of paying 2d. a week, as heretofore, you must pay from this day 3d. a week.

"JOHN MIREHOUSE."

Whether the master has refused to take the usual school fee from these children, the majority of them being kept at home in consequence; whether the Rector is entitled to raise the children's fees for the reason assigned; and if so, whether the Education Department has sanctioned his doing so; and whether the Vice President will urge the Rector to show some consideration for the wishes of Nonconformist parents whose children are obliged to attend the National School, especially as their absence is enforced when the school is closed on the occasion of the Church Sunday School festivals, and when closed earlier before and opened later after the Primrose League meetings that are held there?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): I am informed that the Rector offered to hold the afternoon meeting of the school an hour earlier than usual in order to set the children free to attend the picnic in question, and only declined to give a half-holiday because the children were backward in their work, and the school had been recently closed for a week and would shortly break up for the summer holiday. The Rector states that the letters dictated to the children were intended to test their handwriting, but I cannot defend his action in this respect; and he has been told that the children must be received back at the ordinary fee, or the grant will be endangered.

SCHOOL FEES.

MR. HALLEY STEWART: I beg to ask the Vice President of the Committee of Council on Education whether the fees have been raised from 2d. to 4d. per week to scholars attending the St. Matthew's Denominational School, Pode Hole, Pinchbeck West, near Spalding, a school in receipt of a Government Grant, and that, in consequence, several of the children have ceased to attend school, some not having attended for a period of 12 months, owing to the inability of the parents to pay the increased fee, the next nearest school being fully three miles distant; and whether he will endeavour so to arrange matters that the children shall not be deprived of the advantages of elementary education?

*SIR W. HART DYKE: The attendance at the school in question is in excess of the accommodation, and as the school was said to be sufficient for its own district, the fees were, I believe, raised in respect of children living outside the district in order to reduce the numbers. There is nothing in this action of the managers to call for adverse comment; but the Department is in correspondence with them on the subject with a view to arranging the difficulty that has arisen in the most satisfactory way possible.

CIVIL ENGINEERS IN INDIA.

MR. J. G. TALBOT (Oxford University): I beg to ask the Under Secretary of State for India whether he can now state to the House what steps have been taken by Her Majesty's Government to redeem the pledges made by him on behalf of the Government, in the Debate on the 31st May last, to inquire into, and, if possible, redress the grievances of the civil engineers of the Public Works Department?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The recommendations of the Public Works Commission are still the subject of consideration by the Secretary of State and the Government of India. Until the changes consequent on these recommendations are decided upon no separate action in the direction suggested by the hon. Member can be taken.

HARROW WEALD DRAINAGE SCHEME.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the President of the Local Government Board whether there is any special reason for the continued delay in arranging and carrying out the drainage scheme at Harrow Weald; and whether he will call the serious attention of the Hendon Rural Sanitary Authority to the subject, and urge upon them the importance of getting the plans settled and the drainage works proceeded with?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The

Local Government Board, on the 8th of June last, communicated with the Rural Sanitary Authority of the Hendon Union with regard to their proposal to borrow for the execution of sewerage works for Harrow Weald. In consequence of suggestions at the inquiry some revision of the original scheme was made, and the Board advised the adoption of these alterations. The Board informed the Sanitary Authority that they did not consider that they could authorise a loan for any works which would increase the amount of sewage delivered upon the existing sewage farm until they were satisfied that no nuisance would be created, and that the effluent would at all times be properly purified before its discharge into the Kenton Brook. The Board accordingly requested that steps might be taken for the acquisition of additional land, and stated that when this had been done they would be prepared to entertain an application for borrowing powers in respect of the revised scheme. The Board were not informed of the result of the consideration of this communication until the Sanitary Authority were again communicated with with reference to the question of the hon. Member. I am now informed that the delay which has taken place has arisen in consequence of the negotiations for the hiring or purchase of adjoining land for the purpose of the sewage farm. I will urge the authority to secure a settlement of these matters at as early a date as possible.

IRELAND—HARBOUR ACCOMMODATION AT NEWCASTLE.

MR. M'CARTAN (Down, S.): I beg to ask the Secretary to the Treasury whether his attention has been called to the Report of the Inspectors of Irish Fisheries for 1888, page 36, where it is stated that "the fishing at Newcastle (County Down) makes no improvement, owing to the want of harbour accommodation" there; and, whether, considering the representations which have been made to him, the circumstances in connection with the destruction of the harbour works, and the danger to which the poor fishermen of Newcastle are frequently exposed for want of harbour accommodation, he can now say if anything will be done in the matter?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The statement quoted by the hon. Member proceeds not, as his question might seem to imply, from the Inspectors of Irish Fisheries, but from the Divisional Officer of Coastguard. To be effective, any scheme for the improvement of the Harbour at Newcastle would cost more than the Government would be justified in spending at that place, and an answer in that sense has been sent to the Memorialists.

HEAD CONSTABLE M'DONALD.

MR. M'CARTAN: I beg to ask the Solicitor General for Ireland, with reference to the recent action for libel brought by Mr. Vesey Fitzgerald, R.M., against the *Freeman's Journal* and the hon. Member for North Kildare, whether he is aware that Head Constable M'Donald, of Newbridge, swore at the trial at last County Antrim Assizes that he (M'Donald) had not been in the Constabulary Barrack at Naas on the 19th November, 1888; whether the diary kept in Naas Barrack shows that M'Donald was there on that day; whether he will have inquiry made into the matter; and whether he will give a copy of the entry made in the diary on that particular date with reference to Head Constable M'Donald's visit to Naas?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): The Constabulary Authorities report that Head Constable M'Donald's evidence at the trial referred to was as stated in the first paragraph. The entry made in the Guard's Diary at Naas Barrack on 19th November, 1888, was that Head Constable M'Donald and Constable Whitton, Newbridge men, arrived there on duty. Both these policemen appear to have been in Naas on the date in question, and to have visited the County Inspector's house on duty. But the constable is equally certain that neither the Head Constable nor himself entered the barrack.

THE COUNTY COUNCILS AND LICENSE DUTIES.

BARON DIMSDALE (Herts, Hitchin) I beg to ask the Chancellor of the Exchequer whether his attention has been called to a Report issued by the Local Taxation Committee with reference to

the response made by the English County Councils to his remarks on the 29th November, 1888, and the 15th April, 1889, on the reinforcements of the local finances for the amount lost to the ratepayers by the withdrawal of certain licenses enumerated in the First Schedule of the Local Government Act, 1888; whether it appears from this Report that 35 out of the 41 County Councils which have expressed an opinion on the matter, have invited action by Her Majesty's Government with a view of supplying the deficiency in the county resources; and whether he is prepared to consider the propriety of granting relief in such form as he may deem expedient, in order to place the ratepayers in the position indicated on the introduction and passing of the Local Government Act, 1888?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): My attention has been called to the Report; but I do not know that the Resolutions of the Councils help much to the solution of the question. A large number of Councils have delared in favour of a "reinforcement of local finances," which, of course, all bodies of ratepayers' representatives must desire, but without suggesting any means of attaining that desirable end. It is only a minority which declares specifically for the wheel tax. None of the Resolutions come from borough County Councils, and as it was from the boroughs that the opposition which prevented the Excise Duties Bill being passed last year came, this seems to me a fact of great significance. I have given a good deal of consideration to the matter; but I do not at present see my way to meeting the views of the Councils. A further surrender of Imperial revenue is out of the question, and as for new sources of local revenue, I still know of none fairer than a wheel tax for the special object of maintaining roads. But I am afraid that experience has taught me that the opposition which any new tax, however reasonable, encounters is out of all proportion to the gratitude felt for any relief, however great, which such taxation affords.

TYPHOID FEVER IN THE WEST-END OF LONDON.

THE MARQUESS OF GRANBY (Leicester, Melton): I beg to ask the President of the Local Government Board whether his attention has been called to the recent severe outbreak of typhoid fever in the West End of London, especially in the parish of St. George, Hanover Square, and whether he will cause inquiry to be made into the matter; whether he is aware that it is stated that the sanitary arrangements of the St. George's Vestry are very deficient, especially with regard to the proper and adequate flushing of the sewers and main drains of that parish; and whether it is in the power of the Local Government Board to institute any inquiry on this point?

*MR. RITCHIE: My attention has been called to the outbreak of typhoid fever in the West End of London, and especially in the parish of St. George, Hanover Square. I have communicated with the vestry of that parish, and I am assured that they have a constant staff of men flushing the sewers at a large cost, and that the London County Council also have a staff of flushers for the purpose of flushing their main sewer. I have also received a provisional report from Dr. Corfield, the Medical Officer of Health of the parish, from which it appears that the outbreak took place almost entirely in the Mayfair sub-district. There were 14 houses in the parish where there had been cases. The outbreak was limited to houses of the better class, including some of the largest houses in the parish, and from the uniformity in the date of the attacks, and the fact that the sanitary arrangements of most of the houses where the cases occurred have been carefully carried out, the Medical Officer of Health has come to the conclusion that the outbreak was not due to any defect of sanitary arrangements, but to some temporary cause which has apparently ceased to operate. I have determined to direct an inquiry by one of the Inspectors of the Board.

MR. ISAACSON (Tower Hamlets, Stepney): I wish to ask whether it is the owner or the tenant who is liable for the sanitary condition of his house? I happen to live opposite a house where a case of typhoid occurred [*Cries of* "Order!"]—it is a very serious matter—and before I resided there there were five open cesspools, and I had to cart away 500 loads of soil——

*MR. SPEAKER: The hon. Member is not entitled to make a statement.

MR. ISAACSON: Then may I be allowed to ask whether it is the owner or the tenant who is liable for the sanitary condition of the premises?

*MR. RITCHIE: The liability depends entirely upon the terms of the lease. Generally speaking, I should say the tenant is liable.

MR. ISAACSON: If that is the case ought not the Sanitary Inspector to be compelled to make annual visits to infected houses to see whether the owners or tenants keep them in a proper sanitary condition?

*MR. RITCHIE: I am afraid that it is rather a large order to say that the Sanitary Authority should be bound to visit these premises annually or send Inspectors to see that they are in a proper sanitary condition.

IRELAND—DERRY GAOL.

MR. MACNEILL (Donegal, S.): I beg to ask the Solicitor General for Ireland whether complaints have reached him that the sewerage system of Derry is a tide locked sewerage, and that the Corporation, although aware of the defects of this system, have deferred the question of the proper ventilation of the sewers indefinitely; also that the sewerage of the gaol runs into this defective sewerage of the City; and, whether, inasmuch as the gaol is situated at the very summit level of the city, and necessarily becomes the receptacle of the sewer gases, which must rise up to it and escape through the ordinary sewer traps into the gaol, he will take steps to remedy this danger to the health of prisoners in this gaol?

MR. MADDEN: No complaints have reached the Government on the subject of the Londonderry sewerage system. It appears that the sewer system opens into the tidal river Foyle; but that the outlets of the sewers are protected by automatic tidal flaps, which are in good working order. The Sanitary Officer states that the prison sewer is connected with one of the city sewers within 250 yards from the outlet of the latter into the river, that at the junction of the two sewers there is a ventilator and syphon trap which completely separates any gases which might possibly be in the main sewer from the prison sewer, and allows of their escape, and that in the city sewer referred to there is a combined manhole and ventilator within 150ft. of the river into which it opens. He adds that there is no just cause for complaint in regard to the ventilation of the sewers.

MR. SEXTON (Belfast, W.): Has the Report of Dr. O'Farrell upon the state of the Derry Gaol been received, and will it be circulated to-morrow? I also wish to know whether any independent gentleman will report upon the condition of this prison?

MR. MADDEN: That hardly arises out of the question upon the Paper. A Report will, I believe, be laid on the Table.

DOWNPATRICK GAOL.

MR. M'CARTAN: I beg to ask the Solicitor General for Ireland whether his attention has been called to the statement published in the *Star* of the 16th instant, from which it appears that on the night of the 15th instant, after the convict prisoners in Downpatrick Gaol had been locked in their cells, a shower of stones came from within the prison walls, and caused serious injury to the property of persons living near the prison; whether he can give any information on the matter; and, whether any inquiry will be held and the Report laid upon the Table of the House?

MR. MADDEN: From the Report received from the General Prisons Board it appears that the statement referred to is inaccurate. A few stones were thrown, it is believed, from within the Prison premises. The Chairman of the Board has personally investigated the case on the spot, and has satisfied himself that no prisoner and no Prison Officer was guilty of the offence. The occurrence has been reported to the Military Authorities, who are, it is understood, making an investigation so far as the military sentry is concerned. I am informed that the only injury to property inside consists in the breaking of two panes of glass, valued at 8d.

MR. SEXTON: What persons were there, inside the prison, who could throw stones except the prisoners or the officers of the gaol?

MR. MADDEN: An investigation is now going on which, I presume, will settle the matter.

THE SUB-LAND COMMISSION AT MOHILL.

MR. HAYDEN (Leitrim, S.): I beg to ask the Solicitor General for Ireland whether the Sub-Land Commission, whilst sitting at Mohill on the 22nd July, received instructions to adjourn, after hearing only half the cases listed for hearing; whether he is aware that many of the cases left unheard have been entered since 1887, and that the rents in some of these cases are 100 per cent over the Poor Law Valuation; and, whether, under these circumstances, he will take steps to have the Sub-Commission return to Mohill, and, by disposing of the remainder of the cases, prevent much hardship?

MR. MADDEN: The Land Commissioners Report that the Assistant Commissioners did not receive the instructions alleged in the first paragraph. They had general instructions to hear a sufficient number of cases to keep them fully occupied on inspection duty up to the 22nd August, on which date their vacation commences. The Commissioners will, in accordance with their usual practice, arrange the next Circuit Lists having regard to the claims of the several applicants.

IRISH NATIONAL TEACHERS.

MR. DONAL SULLIVAN (Westmeath, S.): I beg to ask the Chancellor of the Exchequer whether the sanction of the Treasury has yet been given to the Scheme put forward by the Irish National Teachers' Organisation, and approved by the National Board, for the benefit of the widows and orphans of the Irish teachers?

MR. GOSCHEN: The sanction has not yet been given. The Treasury have lately been concerned in the investigation of more than one important fund, in which, owing to defects in actuarial calculations, or unsound initial organisation, or changes made in the direction of laxity, sometimes called generosity, the fund is now not in a position to meet its liabilities. Great care has therefore been necessary in the examination of the present scheme, though Government money is not involved, as the scheme is to be self-supporting. I have been in communication with the Chief Secretary on the subject, and hope to come to a final agreement with the Irish Government very shortly.

BAND IN THE PHŒNIX PARK.

MR. MURPHY (Dublin, St. Patrick's): I beg to ask the Secretary to the Treasury whether he will sanction the erection by the Board of Works of a suitable band stand in the Phœnix Park, Dublin?

MR. JACKSON: I am not aware that any application of the kind has been made to the Board of Works; at any rate, no knowledge of it has come to me. The usual course would be for the application to be made to the Board of Works, who will consider it when the next Estimates are framed.

MR. MURPHY: Will the Treasury accede to it?

MR. JACKSON: I would rather see the application before making any pledge.

MR. SEXTON: As the Vote for the Board of Works is about to be taken, would it be convenient for the hon. Gentleman to say whether the Board of Works have determined finally to give or refuse leave for a band to play on Sunday evenings in St. Stephen's Green?

MR. JACKSON: I am not aware that there has been any change in the opinion of the Board, which I indicated when I answered a question put to me by the right hon. Gentleman a few days ago. I believe they hold the opinion very strongly that in view of the comparative quietude of the place—[An IRISH MEMBER, "No, no!"] I used the word quietude. ["No, no!"] Perhaps the hon. Member prefers to answer the question himself. At any rate I believe that great objections are entertained to giving the permission asked for, but I have already promised the right hon. Gentleman that the matter shall be inquired into.

H.M.S. *SULTAN.*

MR. BALLANTINE (Coventry): I beg to ask the First Lord of the Admiralty why a Court Martial was not held to inquire into the cause of the loss of H.M.S. *Sultan*, in accordance with Sections 91 and 92 of the Naval Discipline Act; why a Court of Inquiry was appointed to investigate the question of the responsibility of the Commander-in-Chief for the loss of the vessel after she had stranded, whereas a Court Martial was held to try the captain of

the vessel for stranding her; whether it is the fact that Naval Courts of Inquiry have no power either to examine witnesses upon oath, or to determine judicially the questions submitted to them, but solely the power of making a Report of the Admiralty; and, whether, in the case of the *Sultan*, the Report of the Court of Inquiry concludes the matter?

MR. COBB: May I ask whether the actual loss of the *Sultan* took place when the Duke of Edinburgh was in command, and whether the effect of what has been done by the Court of Inquiry has not been to screen the Duke from being tried by Court Martial?

MR. HANDEL COSSHAM (Bristol, E.): Will the noble Lord lay on the Table of the House official Papers relating to the loss of the *Sultan?*

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): It is not intended to lay any Papers before Parliament. As I have stated before, all the Papers in connection both with the Court Martial and the Court of Inquiry were sent to the public Press, and they have for a long time been in possession of the public. The right hon. Gentleman opposite is wrong both in his facts and assumptions. It is not true that any attempt was made to screen the Commander-in-Chief, who could not have been tried for the loss of the *Sultan*. In reply to the question on the Paper, a Court Martial having been held on the captain of the *Sultan* for the stranding of his ship, it was determined that it was unnecessary to hold another Court Martial on him for the loss of the ship, such loss being consequent on the stranding. The Court of Inquiry was not appointed to investigate the question of the responsibility of the Commander-in-Chief, but to ascertain if every possible endeavour was made to save the ship after she was stranded. The powers of Naval Courts of Inquiry are as stated in the question. In the present instance the Commander-in-Chief could not have been tried, for if a further Court Martial had been considered necessary it must have been held on the captain of the ship. The answer to the last question is in the affirmative.

MR. BALLANTINE: Is it not the fact that the Commander-in-Chief was in command after the stranding of the vessel?

*LORD G. HAMILTON: No, Sir, certainly not. Captain Rice was in command. When a ship is lost, the only persons who, under Sections 91 and 92 of the Naval Discipline Act, can be made responsible are the captain and those on board the ship.

MR. BALLANTINE: The President, in giving judgment upon the case, remarked—

"The Court considers, according to the charge of stranding, it is our duty to investigate what occurred up to the time you were relieved by your senior officer, who took charge."

*LORD G. HAMILTON: The hon. Gentleman does not seem to appreciate what that means. The Commander-in-Chief superintended the operations which were made to get the ship off the rocks on which she was stranded. But it would be absurd and altogether contrary to precedent to make one man responsible for the acts of another man. It has been the invariable practice of the Navy, whenever a vessel has been lost, that the persons in the first instance to be charged are the captain, officers, and crew of the vessel. That was the case when the *Captain* was swamped. The persons tried by Court Martial for that ship were the gunner, and the survivors of the crew.

In answer to a further question by Mr. COBB,

*LORD G. HAMILTON said: If the hon. Gentleman made himself acquainted with the customs of the Navy he would know that it is impossible for the Admiral to take command of a ship and to supersede the captain.

MR. E. ROBERTSON (Dundee): I wish to ask the First Lord of the Treasury with reference to the answer given by the noble Lord (Lord George Hamilton) whether he is aware that no discussion took place on the loss of the *Sultan* at the time that the Admiralty Vote was taken, because an inquiry was understood to be pending; whether he is aware that the reports in the daily papers referred to by the noble Lord have been of the most meagre description, amounting at most to a column, and frequently to half a column; and whether, not as a matter of right but as a matter of courtesy and accommodation to Members of the House, he will not

consider the advisability and propriety of laying before the House, not now but next Session, a full Report of the proceedings in this very important inquiry?

*LORD G. HAMILTON: Though the question has been addressed to the First Lord of the Treasury, my right hon. Friend is naturally not conversant with the facts. I can only repeat what I have already said, that in my anxi ety give full information of all that occurred not only at the Court Martial but at the Court of Inquiry, a full and detailed Report of all that occurred was sent to the public Press. But it has never been the practice to lay the evidence and Report of an inquiry on the Table of the House, and I am not disposed to create a new precedent which, I think, might be very disadvantageous to the Public Service. With that single exception, the public has been put in full possession of all the facts of the case for some weeks past.

MR. ROBERTSON: My question was asked as a matter of convenience to Members of the House, and not for the information of the public. I knew the attitude of the noble Lord, and therefore I asked the First Lord of the Treasury to take into his serious consideration the propriety of giving Members of the House full information as to the proceedings and transactions of this important inquiry.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The hon. and learned Gentleman will hardly expect me to give an answer at variance with that given by my Colleague the noble Lord at the head of the Admiralty. I am not prepared to pass beyond established precedent in matters of this kind, and no one will recognise more readily than the hon. and learned Gentleman the importance of adhering to precedent in these questions. No doubt the point raised by the hon. and learned Gentleman will receive consideration.

MR. BRADLAUGH: Was it not a departure from established precedent to communicate a Report to the Press, which was not taken by newspaper reporters in the ordinary way?

*LORD G. HAMILTON: The Press attended the proceedings of the Court of Inquiry, and when the doors were closed for the deliberation of Members, I undertook that the Report should be sent to the Press, so that it should be as available for the public as the evidence had been.

MR. BRADLAUGH: Is not that a departure from precedent?

*LORD G. HAMILTON: No; I believe that whenever a Court of Inquiry has been held with open doors, and the evidence is in the possession of the public, it has been the practice to send the result of that Court of Inquiry to the Press.

PUBLICATION OF ACTS OF PARLIAMENT.

VISCOUNT WOLMER (Hants, Petersfield): I beg to ask the Secretary to the Treasury whether he will be kind enough to make such arrangements with the Queen's Printers, that henceforth all Acts of Parliament relating to Scotland shall be published within four weeks of their receiving the Royal assent?

MR. JACKSON: Yes, Sir; I will endeavour to make the arrangement suggested.

IRELAND—LAW AND JUSTICE—CASE OF MICHAEL WALSH.

MR. T. M. HEALY (Longford, N.): I beg to ask the Solicitor General for Ireland is it true that Mr. Michael Walsh, who, on uncorroborated testimony which was contradicted by three witnesses, was, on the 12th instant, sentenced at Fermoy by Colonel Longbourne, R.M., to three months' imprisonment, in default of bail to be of good behaviour, on a charge of saying "Run on you———" to a policeman, was, on arriving in Cork Gaol, stripped of his clothes and had his hair and moustache cut off contrary to the Law applicable to bail prisoners; can he state why this was done, and who is responsible for it; and will any compensation be made to Mr. Walsh?

MR. MADDEN: As stated in reply to a Question yesterday, the sentence in this case was to find bail for good behaviour, or three months' imprisonment in default of bail. The General Prisons Board report that it is the case that with his own consent the prisoner's moustache was trimmed and his hair also trimmed. He consented to wear the clothes referred to till he had obtained a further supply of linen from his home, as he was told that he should

change his linen every week. This is in accordance with a statement made by the man himself on the subject.

MR. T. M. HEALY: Have the Prison Authorities any power whatever to do what they did in this case—namely, to compel a bail prisoner to put on the prison dress and to cut off his hair and moustache? Was the man informed that he was not bound to wear the prison clothes, and that there was no power to cut off his hair and moustache? Is it left to the Governor to say what the rules are?

MR. MADDEN: I will make a full inquiry into the facts of the case.

MR. T. M. HEALY: Then I will put a further question.

MR. HANRATLY, J.P., CROSSMAGLEN.

MR. O'HANLON (Cavan, E.): I beg to ask the Solicitor General for Ireland whether he is aware that one of the local Justices of Crossmaglen, Mr. Hanratly, has lately evicted some of his tenants and taken off all the crops; and, whether he is aware that Mr. Hanratly's bailiff is also summons server for the district; and, if so, whether it is in accordance with the regulations that a summons server should act as bailiff to a landlord in the district? I also wish to know whether he is aware that Thomas Morris, a merchant, of Crossmaglen, was summoned for fishing in a lake last July; that the case was dismissed by the Magistrate acting at the time; and that Mr. Morris is again summoned for the same offence, to be tried next September; whether Mr. Hanratly will act as a Justice on the occasion, in view of the fact that he had a dispute with Morris lately; and, whether Mr. Morris can be twice tried for the alleged offence?

MR. MADDEN: I must ask the hon. Member to postpone these questions. I have not yet received the information that would enable me to answer them.

THE VACCINATION ACTS.

MR. BRADLAUGH: I beg to ask the President of the Local Government Board whether his attention has been called to the fact that J. H. Matthews appeared on Monday before the Enfield Magistrates to answer a complaint of not having vaccinated his child when the child was produced in Court, and Dr. Warren, the medical attendant of the child, was called by Matthews, and swore that the child was in an unfit state to be vaccinated, and would, in his opinion, be unfit to be so vaccinated for at least a year, and that the Magistrates thereupon adjourned the summons for two months, ordering the defendant to find surety to then appear, and committed the defendant to gaol in default of sureties; whether the said J. H. Matthews had been previously, and how often, prosecuted for offences under the Vaccination Acts; and, whether the Government will take any action in the matter?

*MR. RITCHIE: I have no information respecting the case referred to, except a newspaper report of the proceedings before the Justices. I understand from that Report that the defendant, without his being bound over to appear on the date to which the proceedings were adjourned, was permitted to leave the Court, but was warned that if he did not appear upon the day named he would have to bear the consequences. The Board have no information as to the number of occasions on which J. Matthews has been prosecuted for offences under the Vaccination Acts, and time has not admitted of inquiry being made on the subject.

MR. BRADLAUGH: Will the right hon. Gentleman cause inquiries to be made in reference to this extraordinary new departure in the shape of vaccination prosecutions?

*MR. RITCHIE: The hon. Gentleman's question ought to be put to the Home Secretary and not to me. I have no power to interfere.

MR. BRADLAUGH: May I ask the Attorney General whether he is aware that J. H. Matthews was, on 19th August, summoned before the Enfield Magistrates for not having had his child vaccinated; whether the defendant pleaded that the child was then unfit to be vaccinated, and producing the child in Court called the child's medical attendant, who swore that the child was then in an unfit state to be vaccinated; whether the Magistrates, determining that the child was then unfit to be vaccinated, adjourned the summons for two months, and requiring the defendant to give sureties to appear at the adjourned date, committed him to gaol on his refusing to give sureties; and, whether, the Magistrates having so

determined as aforesaid, such committal is warranted in law?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I have no knowledge of the case, and it is somewhat difficult to gather the facts from the question of the hon. Member, but I apprehend that Matthews was summoned under Section 31 of the Vaccination Act, 1867, and upon the Magistrates adjourning the case declined to give security for re-appearance, whereupon the Magistrates committed him to prison. I am of opinion that such committal was justified by Section 16 of the Summary Jurisdiction Act, 1848, which applies to proceedings under the Vaccination Acts.

MR. BRADLAUGH: May I venture to ask the Home Secretary if he will make inquiry, and if the facts turn out to be as stated, will he take action in the matter?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I would rather not commit myself until I have inquired into the facts.

IRELAND—THE STATE OF DERRY GAOL.

MR. MAC NEILL: I beg to ask the Solicitor General for Ireland whether he is aware that a woman named Rose Trainer, residing near Draperstown, was sentenced lately to a month's imprisonment in Derry Gaol for attempting to take possession of a piece of land from which she had been evicted some time ago; that she was released from prison on the 1st instant, and came home ill; that the medical officer of the district was called in to see her immediately on her arrival, and has since pronounced her to be suffering from typhoid fever contracted in Derry Gaol; that she was removed on Saturday last to the fever hospital of the union workhouse, Magherafelt, where she now is; and, whether he will consider the propriety of closing this prison, having regard to the danger to the lives of those incarcerated within its walls in its present pestilential condition?

MR. M'CARTAN put a question to the same effect and asked whether, under the circumstances, the Government would lay upon the Table of the House the Confidential Report of the doctor to the Prisons Board?

*MR. MADDEN: Rose Trainer was committed to Londonderry Prison on July 6 on a charge of assault and trespass. The medical officer of the prison reports during the period of her imprisonment she never complained of any illness and was in good health when discharged on August 3. The Governor reports that she refused to proceed to her place of conviction (Draperstown) by rail on the date of her discharge, stating that she had some friends she wished to remain with in Londonderry City, but how long she actually remained there he is not aware. From a telegram received, it appears that yesterday she was still ill at her home with typhoid fever and that she was visited for the first time on the 16th instant by the local doctor, who recommended her removal to the union hospital.

MR. T. M. HEALY: Has the hon. and learned Gentleman seen a certificate from a local doctor which states that at the time of the woman's release from prison she was suffering from typhoid fever?

*MR. MADDEN: No; I believe she was visited for the first time by a local doctor on the 16th.

MR. T. M. HEALY: I have Dr. Haggerty's certificate to that effect in my pocket, and I will put a further question on Thursday.

MR. SEXTON: Had the germs of typhoid fever manifested themselves at the time of the woman's release from prison?

*MR. MADDEN: All the doctor to the gaol says is that there were no symptoms of any disease at the date of her release.

DR. TANNER.

MR. T. M. HEALY: I beg to ask the Solicitor General for Ireland has the Governor, Clonmel Gaol, kept back books intended for Dr. Tanner, in order that they might be approved by the chaplain; what chaplain's approval does he intend to obtain; is Dr. Tanner's religion registered as "Independent;" and what is the name of the chaplain of that denomination attached to Clonmel Gaol?

*MR. MADDEN: I must ask the hon. and learned Gentleman to postpone this question. I have not yet received information.

MR. T. M. HEALY: It would only require a sixpenny telegram to Clonmel.

*MR. MADDEN: A telegram has been sent, but a reply has not yet been received.

PUBLIC ELEMENTARY SCHOOLS.

MR. HENRY J. WILSON (York, W.R., Holmfirth): I beg to ask the Vice President of the Committee of Council on Education whether the following subjects can be, and are, taught in public elementary schools under the Code of the Education Department:—Botany; mechanics, with apparatus and experiments; chemistry, in laboratories; French, and French correspondence, and *précis* writing; commercial geography; shorthand; and German; and what subjects are taught in any public elementary schools under the Science and Art Department?

*SIR W. HART DYKE: All the subjects, except shorthand, enumerated in the first part of the question are taught under the Code. If the hon. Member will refer to page 11 of the calendar of the Science and Art Department he will see the subjects, any of which may be taught to scholars who have passed the Sixth Standard in elementary schools; no Return has ever been made as to the subjects actually so taught, and it would be almost impossible to have one prepared owing to the difficulty of separating these scholars from the other students, for whose instruction the elementary schoolroom is also used.

TELEGRAMS FROM RAILWAY STATIONS.

SIR JOHN SWINBURNE (Stafford, Lichfield): I beg to ask the Postmaster General whether Her Majesty's Government will, during the Recess, consider the desirability of enforcing some equitable arrangement by which all railway stations in the United Kingdom will be available to the public for despatching telegrams during the usual hours—namely, between 8 a.m. and 8 p.m.; and during the night, by paying an additional fee of reasonable amount, more especially with a view to facilitate sending police messages during the night from country stations to the neighbouring cities?

*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): In reply to the hon. Member, I have to state that I shall always be glad to communicate with Railway Companies with regard to any reasonable application for the transaction of telegraph business at additional railway stations, but I am not in a position to enforce the performance of such duties at all stations. At many stations the companies do not, I believe, possess the necessary facilities. I stated, in answer to previous questions, that nearly 1,600 railway stations are already open for the transaction of telegraph business on behalf of the Post Office, and that this number is constantly increasing. Arrangements already exist whereby, on payment of an additional fee, telegrams can be despatched from Telegraph Offices after the usual hours when the attention of the Transmitting Office can be gained, and I hope there is no rsason to think that the Railway Companies do not afford every facility in this respect in cases of emergency.

IRELAND—THE LAND COMMISSION.

MR. M'CARTAN: I beg to ask the Solicitor General for Ireland whether he is aware that the Land Commission have recently made a new rule requiring certain appellants to state, within 14 days of the date of a notice served by the Commission on the appellant, the ground of appeal intended to be relied on, and intimating to the appellant that if the form sent by the Commission is not received within the period stated, or if the information supplied is not such as to satisfy the Commission, the appeal will be liable to be struck out of the list and will not be listed again without a special order of the Court; whether this rule is intended to apply to all cases of appeal now entered for hearing; and, whether, considering that an appeal from the Sub-Commission or County Court is considered to be a re-hearing of the case, the Land Commission is acting within its powers in enforcing such a rule?

*MR. MADDEN: I have examined the notice referred to by the hon. and learned Member, which is substantially as stated in the question, and refers apparently to all pending appeals. The Land Commission inform me that after careful consideration they came to the conclusion that it was necessary in the interests of the parties concerned in appeals and of the Public Service that they should adopt the course specified in the notice in question. In my

opinion, the Land Commission are acting within their powers in settling the lists of appeals in accordance with such a notice.

MR. T. M. HEALY: Was this a notice or a rule?

*MR. MADDEN: It was not a rule, but a notice calling upon tenants to give certain information for the purpose of facilitating the settling of the lists of appeals, and informing the parties interested that if they did not do so their cases might be postponed.

MR. M'CARTAN: What right had the Land Commission to circulate this order?

*MR. MADDEN: The Commission had a right to circulate a notice made for the purpose of getting information, in order that the lists of cases might be settled in the best manner; their action did not go beyond that.

ALLEGED POLICE CONSPIRACY—CASE OF TIMOTHY SHINE.

MR. CAREW (Kildare, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the information of Timothy Shine, published in the *Daily News* of the 17th instant, and sworn at Newmarket Petty Sessions on the 16th instant, which alleges that a conspiracy to get up outrage and to murder Shine had been entered into between Sergeant Connolly (who is in charge of a police hut on the farm from which Shine was evicted) and a man name Jeremiah D. Murphy, who supplies the police with provisions; whether a summons was granted at Newmark t Petty Sessions against Connolly and Murphy on the charge of conspiracy; whether Colonel Aldworth, J.P., had previously refused to grant a summons in this case; whether it is intended to have the alleged conspirators tried at ordinary Petty Sessions or under the Criminal Law and Procedure (Ireland) Act; and whether, pending the trial, Sergeant Connolly will be suspended from discharging the duties of a police officer?

MR. MADDEN: The Constabulary Authorities report that Shine was brought before Colonel Aldworth, a local Justice of the Peace, charged with an attempted assault on Sergeant Connolly. The accused was let out on bail until Petty Sessions, to be held on 16th instant. When before Colonel Aldworth the man applied for a summons against the sergeant; but the Magistrate, in the exercise of his discretion, directed Shine to make his complaint in Petty Sessions. The Magistrates in Petty Sessions granted summonses against the sergeant and Murphy, and the whole matter, including the charge against Shine, was adjourned to Petty Sessions on 13th September. The proceedings are not under the Criminal Law and Procedure (Ireland) Act. The charge formulated by Shine against the sergeant is not one of conspiracy to murder, but to injure him. The Inspector General sees no reason to suspend the sergeant.

CLASSIFICATION OF RAILWAY RATES.

MR. SEXTON: I beg to ask the President of the Board of Trade whether he has observed by the proceedings of the Irish Railway and Canal Rates Association, that strong objection is taken by the Irish traders principally concerned to the proposal of the Board to have the classification, general conditions, and schedule of maximum rates made uniform throughout the United Kingdom, upon the ground of the great difference between the commercial circumstance of Ireland and Great Britain; whether strong objection is also taken to the arrangement by which the Irish objectors are called upon to appear at Whitehall in October to discuss the objections to the proposed classifications; and whether the Board will re-consider the principle of uniformity between Great Britain and Ireland, and will appoint a representative or representatives of the Board to hold sittings in Dublin, so as to obviate the inconvenience of obliging Irish objectors and witnesses to attend in London, and remain in London for an indefinite time?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): Yes, Sir; I have been in communication with the Irish Railway and Canal Rates Association on the point referred to by the right hon. Gentleman. While I am of opinion that it is desirable that the classifications, general conditions, and schedules of maximum rates of the Railway Companies should be, as far as possible, uniform throughout the United Kingdom, I am not prepared to say that

there are no considerations applicable to Ireland which may make variety in the general conditions and schedules of rates desirable in the public interest. With this view I propose to arrange in due course for the holding of public sittings in Dublin.

REVISED EDITION OF THE STATUTES.

MR. HOWELL (Bethnal Green, N.E.): I beg to ask the First Lord of the Treasury whether it is the intention of Her Majesty's Government to issue future volumes of the Revised Edition of the Statutes, now in course of publication, with all the needless and useless expressions and repetitions which are expunged in the two first volumes, and with the obsolete, spent, and virtually repealed Acts or parts of Acts proposed to be repealed by the Statute Law Revision Bill (No. 371), or whether steps will be taken to continue the repeal of this useless matter as to future volumes, in order that they may correspond with the volumes already published?

MR. W. H. SMITH: I cannot give an engagement that Acts which have not actually been repealed shall not appear in the Revised Edition of the Statutes until they have been repealed; I have no authority to do so. The Statute Law Revision Bill will be re-introduced next Session in order that it may be considered by the House.

In reply to a Question by Mr. BRADLAUGH as to whether certain obsolete Statutes to which attention has been drawn would be included,

MR. W. H. SMITH said: The assistance of the Law Officers of the Crown will certainly be asked in a matter of this kind.

MR. T. M. HEALY: Would it not be advisable to appoint a small and strong Select Committee to consider the subject?

MR. W. H. SMITH: I will consider the suggestion of the hon. and learned Member. The Government will communicate all the information possible to the House.

TECHNICAL INSTRUCTION BILL.

MR. BROADHURST (Nottingham): I beg to ask the First Lord of the Treasury whether any, and what, School Boards have been consulted as to the provisions of the Technical Instruction Bill; and, if not, whether he will postpone further consideration of the Bill till their opinion on it has been obtained?

MR. W. H. SMITH: My answer to the hon. Member is that no School Boards or voluntary schools have been actually consulted with reference to the Technical Instruction Bill, but their representatives in this House and in the Press have carefully considered the subject. One of the oldest representatives of the School Board system, the hon. Member for the Edgbaston Division of Birmingham, has pronounced in favour of the Bill with the Amendment proposed by the hon. Member for Gorton. I am, therefore, not prepared to accede to the request now made to me by the hon. Member.

MR. BRADLAUGH: Does the right hon. Gentleman propose to go on with the Bill to-night?

MR. W. H. SMITH: No.

WEST INDIA MAIL CONTRACT.

SIR GEORGE BADEN-POWELL: I beg to ask the Postmaster General when the Papers relating to the new West India Mail Contract will be laid upon the Table; and whether, considering the importance of the question to the different West Indian Colonies, and also to the mercantile and proprietary interests in the United Kingdom connected with the West Indies, the Governments of the Colonies, as well as these representative associations or committees, have been consulted as to the terms of the contracts for which tenders have been invited?

*MR. RAIKES: I am unable to inform the hon. Member when the Papers to which he refers will be laid before the House. My Report on the subject is now under the consideration of the Treasury. Representations have been received and continue to arrive from the West Indian Islands interested in the question; and due attention has been given by the Government to the commercial interests involved.

THE LOTT ESTATE.

MR. ATHERLEY JONES (Durham, N.W.): I beg to ask the Secretary to the Treasury whether he has received a Petition from one Alfred Charles Lott relating to an estate situate at Harrow, in Middlesex, of the estimated value of

£3,000,000 or upwards; whether the allegations in the Petition show that Henry Page, the last tenant in tail of the said estate, executed a voluntary deed by which he conveyed the whole of the said estate to his solicitor, acting only under the advice of that solicitor; whether his attention has been drawn to the fact that the opinion of eminent counsel of the Equity Bar has been taken, to the effect that the said deed and will subsequently made in pursuance thereof could not be made against the Crown claiming by escheat or failure of an heir; whether the facts of the case have been submitted by the Treasury to the opinion of counsel; and, whether, in view of the fact that money is being raised from various poor persons by the above-named Alfred Lott on bond, purporting to show that in the event of the Crown obtaining possession by escheat of the said estate he would be entitled to a statutory payment as informer, the Commissioners of Her Majesty's Treasury will deem it right to have the facts submitted to the Law Officers of the Crown, whereby an authoritative opinion on the rights of the Crown may be obtained?

MR. JACKSON: This question of the Lott estate at Harrow has been frequently before the Treasury and its legal advisers, and it was decided, after the most careful consideration, that there was no ground for interference on the part of the Crown.

THE IRISH SUNDAY CLOSING BILL.

MR. SEXTON: Perhaps I may remind the First Lord of the Treasury that there are still 70 Votes to take in Supply, many of them highly contentious, and that the Irish Sunday Closing Act is included in the Expiring Laws Continuance Bill. Under these circumstances, I would ask whether the Order for the Second Reading of the Irish Sunday Closing Bill is to be kept on the Paper, thereby keeping Members interested in the matter in attendance until Supply is disposed of, although there can be no possibility of completing legislation on the Bill this Session.

MR. R. POWER (Waterford): I have only risen to say that the Sunday Closing Bill will meet with the most strenuous opposition. There are 17 notices of Amendment to the Second Reading, and these may occupy 17 days in discussion.

MR. T. W. RUSSELL (Tyrone, S.): Before the right hon. Gentleman replies to the question I wish to ask him whether in the month of January last, after the Act had been 10 years on the Statute Book, and renewed every year, having been passed in 1878, and after it had been reported favourably on by a Select Committee, he did not give a pledge to a deputation which waited on him at Dublin Castle—that pledge being one of the Cabinet—that the day for argument was past and the Bill must now be passed.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): It is perfectly true that in January last a deputation of gentlemen, I think representing all Parties in Ireland, waited upon me at the Castle, and I told them after consultation with my Colleagues that though we should not bring in the Bill as a Government measure, we would do our best to enable a discussion to be taken on it in this House and for the Bill to be passed if the House should so decide. The House is aware now of the situation of public business, and the hon. Member for Waterford (Mr. R. Power), as representing some hon. Gentlemen below the Gangway, has informed us of the strenuous opposition which this measure is likely to receive. There are now 20 Notices of Amendment down to the Second Reading, and if that stage should be passed, there would, no doubt, be Amendments in Committee placed on the Paper proportionable to this number. Under these circumstances, I fear it would be absolutely useless—speaking as a practical man, who has to deal with Parliamentary forces as they are, and not as I should wish them to be—to hold out any expectation whatever that it will be possible to pass the Bill, even if the House desired it, at this time of the Session. That is the decision we have come to, but with the most profound reluctance. We have had to sacrifice, as the House knows, many Bills of our own in which we are deeply interested, and to which we were pledged quite as deeply as we were to the Irish Sunday Closing Bill. I am sorry that Bill has to share the fate of other measures; but I think my hon. Friend opposite (Mr. T. W. Russell) will yield to what is, after all, an absolute necessity in this

case, and I can only say if he regrets the course we are driven to pursue, he does not regret it more sincerely than I do.

MR. LEA (Londonderry, S.): I beg to give notice that in Committee on the Expiring Laws Continuance Bill I shall call attention to the conduct of the Government in connection with the Irish Sunday Closing Bill. I shall also ask the Government what steps they propose to take to redeem their honour, and I shall also call attention to how utterly impotent this House apparently is to legislate on behalf of the Irish people.

THE IRISH PRISONS VOTE.

MR. SHAW LEFEVRE (Bradford, Central): It is intended to take the Irish Prisons Vote to-night, and if not when?

MR. A. J. BALFOUR: I offered yesterday to take the Vote to-day, but receiving no request from hon. Members below the Gangway I have decided that the Votes should go on in the ordinary way, the Land Commission Vote being taken to-night, and the other Votes in their order. I am still willing to take the Prisons Vote out of its order if hon. Gentlemen so desire. I may, perhaps, be allowed to say that I have Dr. O'Farrell's Report on the condition of Derry Gaol in manuscript. I am unwilling to give it to the printers, as it would necessarily take some days to get out. But I am willing to place the document in the Library for perusal by hon. Gentlemen interested in the matter.

MR. SEXTON: I am most desirous to see the Report on the earliest opportunity. There are two reasons why I do not wish the Prisons Vote to come on out of its turn—first, because I want time to consider Dr. O'Farrell's Report on the vital question of the sanitary condition of Derry Gaol; and, secondly, because two of my hon. Friends who have been imprisoned under the Crimes Act will be at liberty to-morrow.

MR. A. J. BALFOUR: I will do all I can to bring the Report of Dr. O'Farrell under the notice of hon. Gentlemen from Ireland.

TECHNICAL INSTRUCTION BILL.

MR. J. G. TALBOT: When will the Technical Instruction Bill be proceeded with?

MR. W. H. SMITH: It will not be taken to-night. I am unable to give my hon. Friend any further information at present.

MOTION.

DRAINAGE SEPARATION BILL.

On Motion of Mr. Stephens, Bill to enable Local Authorities to deal separately with the Sewage and the Drainage of their Districts, ordered to be brought in by Mr. Stephens, Mr. Hastings, Sir Henry Roscoe, Sir Guyer Hunter, Mr. Shiress Will, Mr. Isaacs, and Mr. Ambrose.

Bill presented, and read first time. [Bill 368.]

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES.

Considered in Committee.

(In the Committee.)

CLASS III.

1. £73,214, to complete the sum for Irish Land Commission.

MR. T. M. HEALY (Longford, N.): The first observation I have to make in regard to this Vote is that I notice a decrease in the amount for the present year under some of the heads. Although the total net decrease is only £5,000, it is a decrease of which I think we have a right to complain. As there is a decrease in the salaries of the Assistant Commissioners, both legal and non-legal, it shows that to some extent the Government are attenuating the Commission.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): May I be allowed to explain. The decrease is purely apparent, and it arises from the fact that the Land Commission is only continued until the end of the year. It will be included in the Expiring Laws Continuance Act, and the decrease in the amount included in the Estimate is really a matter of account.

MR. T. M. HEALY: The explanation upon that point is quite satisfactory, but I only mentioned the circumstance in order to lead up to another point—namely, that the Government only propose in the Bill which they have brought in to appoint two additional Sub-Commissioners. In view of the glut of cases awaiting decision, the

Government ought to have appointed a larger number of Assistant Commissioners. There ought certainly to be an increase in the number of Sub-Commissioners, and greater regularity in the sittings of the Commission. At the present moment one Commissioner is attempting to deal with two whole counties. This is a great hardship on the tenants, who have to pay arrears on rent which they do not really owe at all. The tenants of the hon. Member for Hunts (Mr. Smith-Barry) are suffering greatly from this cause, although I believe that the hon. Member cannot fairly be described as a rack-renter. The hon. Member has issued writs against his tenants for the full rent, notwithstanding the fact that they claim very large reductions. If that be the action of a landlord like the hon. Member, who is not a rack-renter, what is likely to be the action of rack-renting landlords? In many instances rents have been reduced from £30 to £15, and yet the landlords are, by the process of the law, exacting the full rent. We are asked, why not have recourse to the Acts of 1881 and 1887. I protest against the broad assertion of the Chief Secretary, and the still broader assertions of the right hon. Gentleman's much less informed Secretary, with regard to the effect of these Acts. The only way to test any law is by its application, and it will be found that in all the cases in which a desire has been expressed to come under these Acts, the Courts have refused to put the law in force, and have given the landlords their remedy. It may be imagined how much injustice is thus done to the tenants of petty landlords. The "staying" section of the Act of 1887 has proved to be of very little value, and is inapplicable where the rent exceeds £30. Of course, the substantial tenants are all rented above £30, and the result is that a man whose farm is valued at £100 has actually no remedy at all under the Act. It is altogether a different story if an action for ejectment is brought against him, but he has no remedy in an action for the recovery of rent. As to Section 30 of the Act, it only enables you to have a "stay" put on in order to prevent the sale of the tenant's interest, but not to prevent you from having your stock and farming utensils sold up. A more abominable enactment than Section 30 of that Act was never passed, and no legal adviser, unless he were a criminal lunatic, would recommend a tenant to have recourse to it. A tenant who applies under that section has to pay by instalments, and if he makes default by a single day in one instalment all his efforts are made nugatory, and he loses the whole benefit of the Act. Then there is unconscionable delay in the hearing of applications under the Act of 1887, and one tenant of the hon. Member for Hunts had to wait for two years. He was one of the persons who waited upon the hon. Member as a deputation some time ago, and immediately afterwards he was served with a writ. I cannot understand why justice is to be delayed and defeated in the Land Court. The Four Courts and the Civil Law Courts are open to every landlord who wants an ejectment. Why, then, should there be any delay in having recourse to the remedial Courts of the realm? I cannot help feeling that it is a very strong order indeed for the Government to allow the Land Law to be obstructed, impeded, and defeated in this way, owing to the weakness of the staff of the Court. From this Vote I find that the salaries of the legal Sub-Commissioners who hold office under the Act have been reduced from £6,000 to £4,500; and I claim that the tenants of Ireland should be no more impeded in their action than the landlords. They have a remedy which has been given to them by Statute, and they should be able to avail themselves of it without a month's delay. If we are to have this delay, then the process of the landlord should be delayed also. In my opinion, it would only be reasonable to enact that the tender of rent to the full value should be a bar to an action for ejectment. We may fairly complain of the bias shown in these appointments. First of all, these men are employed as if they were day labourers. We have attacked the Removables in Courts in Ireland, and I myself asked the Chief Secretary some time ago a question which, I think, neatly explains the position of the Sub-Commissioners. I asked him to explain why Mr. Cecil Roche was willing to give up a salary of £1,000 a year as Land Commissioner to take a salary of £450 as Resident Magistrate? The answer of the right hon. Gentleman seemed to

be—to use a Mitchelstown phrase—of a ricochet nature. He laid it down that Sub-Commissioners are removable; that the position of a Sub-Commissioner is frailer than that of a Resident Magistrate. The idea that a man who has to fix rent between landlord and tenant should be paid as a labourer by the day—should be dismissable at a moment's notice—is most appalling. Mr. Wrench shuffles these men about as he would a pack of cards; they are in his hands but a set of ninepins. Take the case of Colonel Bailey, a gentleman of large experience. He is no friend of ours, as his name well denotes. He has held his appointment since 1881. He is an honest man, and he has been shunted about from pillar to post. I have never seen him, and I have had no communication with him; but I notice that when he goes with Mr. Doyle's Commission he very frequently dissents from the ruling of Mr. Doyle, on the ground that the rents are fixed too high. Mr. Doyle is the gentleman who described the Mitchelstown tenants as a pack of howling savages, and, in consequence, Mr. Doyle himself is known as the "howling savage." Colonel Bailey is a judge of land, and in Waterford he said, "I dissent from the decision of the Court on the ground that the rents are too high." For a legal Sub-Commissioner to vote down a lay Commissioner who is a good judge of land is a course which is not to be defended for a moment. I regret that Mr. Doyle is taking such a course. I think the proper course to pursue in a case when the two lay Commissioners disagree as to the fair rent is for the two to strike some average between them. It is not a good system; but you must come to a decision one way or the other. If the course I suggest were pursued, we should have something like an approximation to what Colonel Bailey thinks a fair rent. Now, there have been about 100 Sub-Commissioners appointed since the Land Act was passed. I am sure I am within the mark when I say that of the 100 there have not been six tenant farmers. Again, three-fourths of the people of Ireland are Catholics, but not 20 out of the 100 Sub-Commissioners have been Catholics. I may be told that Sub-Commissioners are not selected on religious grounds; but if a man subscribes to the Thirty-nine Articles it does not make him a good judge of turnips. It really seems to me that Protestantism and the fixing of rents go hand in hand. You go to the landlord and the agent class for your Sub-Commissioners. I protest against a gentleman like Mr. Wrench ringing the changes upon the Sub-Commissioners. Under the Act of 1881 you had the greatest chance you ever had of quietening the country as you call it, but instead of working that Act fairly and thoroughly and determinedly you appointed gentlemen to fix rents so high that in 1887 you had to pass an Act to enable the rents to be adjusted. You are doing the same thing now. The rents are being fixed abnormally high, because the men who are fixing them are men of the landlord class, and men with landlord sympathies. I wish we could see a schedule of the reductions of rent made in England without the operation of law. I am sure the Chief Secretary himself has given far greater reductions to his own tenants than the Irish Land Commissioners have given to the Irish tenants, and yet he has not been able to go about and talk about spoliation and so forth. I now come to the action of the head Commission. The Chief Secretary really ought to do something in regard to the question of appeal. Of all the farces that ever were invented the appeal to the head Commission is the greatest. I say that in the interest of both landlords and tenants. If anybody wants to see a curiosity let him go into the Land Commission Court when an appeal is being heard. Lawyers get their fees, but they take them with regret, because they can do absolutely nothing for their clients. Three gentlemen who have never seen the farms, and never will see them, proceed to reverse the decisions of three men who have visited the farms. The system of appeal is an absurdity. It is simply a method for harassing the tenants, because landlords often insist upon higher rents than those fixed, threatening if they do not receive them to appeal. If there is a question of law to decide the head Commission is a very good tribunal. I do not attack the tribunal as a legal tribunal, but it ought to be a legal tribunal. It ought to decide questions of law, and nothing else. It, however, raises rents all over the country and upon the most absurd

grounds. A man's rent may be £40; the Court below fixes it at £30; the head Commission fixes it, say at £31 7s. 6d., which is an absolutely grotesque proceeding. How gentlemen can take part, and take £3,000 a year for taking part, in a farce of that kind I cannot understand. But, of course, every human institution is infirm, and the head Land Commission is amongst the most infirm of all human institutions. Under a schedule of the Act of 1887, which was passed with the intention of enabling the Commission to grant abatements of rent, the Commission raise the rents *en masse*. The history of the Act of 1887 was certainly very curious. Between Devonshire House and Birmingham, and this House and lobbying, and Star Chambering, and what Lord Salisbury said in the House of Lords, which was swallowed in the House of Commons, the Act was one of the most remarkable pieces of steeple-chasing legislation which was ever witnessed, but it got through. The original section was altered in this House, and I ventured a prophecy which I never believed would eventuate in a reality. I said the section was one to enable the Land Commission to raise the rents. I did not believe it would do it—I did not think it would have the cheek to do it—but it did raise the rents. It is a nice question whether it was legally competent for them to do it, or for two of them to do it without the agreement of the third. Mr. Justice O'Hagan dissented. In the Report made to Parliament on the question of what is called the adjustment of rent, it was stated—

"Mr. Justice O'Hagan felt himself unable to concur in signing the Order of the 18th December instant, or adopt the Schedule as sanctioned for the same reason assigned by him and reported to your Excellency in January, 1888—namely, that in his opinion the 29th section bestowed on the Commission larger power for determining what alteration should be made in judicial rents having regard to prices and yield."

That was our argument at the time the section was passed. What do Mr. Litton and Mr. Wrench say as regards that section? and herein lies another of the frauds this House, no doubt unintentionally, committed against these tenants. They say—

"We are precluded by the Act of Parliament from taking into consideration the question of the yield of the various agricultural produce."

Why does not the right hon. Gentleman bring in a clause to amend the provision in the Act of 1887, which sets up price as the only standard of rent? According to the view of Messrs. Litton and Wrench, if there is a dearth in the country and corn rises 100 per cent in price those people who have not grown corn would have their rents raised with those who have grown corn. It does seem to me, therefore, that this Government, if it really were what it pretends to be—a paternal Government—would at once amend the law which declares that yield was not to be taken into account, but price only. How is it that the right hon. Gentleman the Chief Secretary is always boasting about his attempts to make law and order respected? How can law be respected when it is not respectable? It is not respected, and you cannot make it so by means of such men as Cecil Roche. I should have thought that, under the circumstances, we should have had an amending Bill. I would advise the right hon. Gentleman to take the Irish Members into his confidence; they would help him to put some clause into the Judicial Rents Bill which would not be too high for the stomach of the House of Lords, but which would very considerably mitigate the present state of things in Ireland. We know he will not do that. The only Bills which the right hon. Gentleman brings in are such as the Irish people do not want; and a Bill that would do any good to the country has to be thrust on the right hon. Gentleman by agrarian revolution, outrage, disorder, and distress. The ears of this Parliament are deaf, and it cannot hear unless addressed by the public through some intimidatory speaking trumpet. I have not the smallest doubt that if the people of Ireland refused to pay their rents, or something of that kind happened, we should have some alleviation of the present state of agrarian matters, but without momentum the Government and Parliament will not act. I think the Land Commission were very badly advised in acting contrary to the manifest intention of Parliament and raising the rents. This was a question of the construction to be put upon an Act of Parliament, and the legal head of the Commission, Mr.

tice O'Hagan, gave it as his opinion t the Commission was entitled to take account both yield and price, but Wrench, an English gentleman, a yer, no doubt, but appointed as a man, sets up his legal opinion against t of Mr. Justice O'Hagan. Of course, Commissioners adopted a strained in- pretation of the Act, and we know why y did it. It was because their tenure nsecure, and they are exposed to the uence of the Kildare Street Club, ch is, indeed, the most important or in the Land Commission. The dare Street Club represents the land- ls of Ireland. It is from there, rather n from the Castle, that Ireland is d; the Castle is, in fact, only the e-chamber or Executive Chamber of Kildare Street Club. The members his Club meet and condemn "Those kguards of the National Party." y say, "So-and-so has made a bad ech; he must be prosecuted;" "So- -so must be made a Resident Magis- e;" "My rents have been cut down hat blackguard So-and-so, and he t be shifted." I say these Commis- ers should have security of tenure in r appointments. It is a mon- us thing that the right hon. tleman can cease to employ n at any time. It has been stated the newspapers that the Govern- t have a Bill in the pigeon- s of Dublin Castle by which Mr. on was to have been deprived of his pointment altogether. That may or not be the fact, but it was so stated, when a man is drawing £3,000 a it is only natural that such a state- t should affect his nerves. It would e under similar circumstances when d regard to my little family. These lemen may be above the ordinary which govern the apprehensions of kind, but my own experience is that man is very much the same as her, and that making him a Judge putting him in horse-hair does not ys endow him with the true attri- s of a judicial position. I maintain something should be done in the of these gentlemen to give them a ble tenure of office. If that is done, they are relieved from the em- assment consequent upon the present m of intimidation, so much the r will it be both for landlords and nts. Landlords write to the *Times* and to Dublin Castle, and these men whether rightly or wrongly, know that the landlords wield enormous influence. Whether they do or not, they should be relieved of the reproach that can now be cast at them; and I do trust that, under the circumstances, the Government will take the course that will put the Land Commission in a sounder position for itself and for the litigants who come before it.

MR. A. J. BALFOUR: Of course, a good deal that has fallen from the hon. and learned Member has more direct relation to the failure of legislation passed by this House in previous years for the Irish tenants, and the particular view the hon. and learned Gentleman takes as to the course this legislation ought to have followed, than to the matters connected with this Vote. He began by reproaching the Government for not having done more in the way of increasing the Sub-Commissioners in order to deal with what the Government admit to be an unduly large amount of arrears. I would remind the hon. Member of two things. In the first place, the Government have attempted in the present Session, as well as in the last, to introduce legislation which would have had the effect of diminishing the amount of arrears, and which would not have been open to the objection of the hon. and learned Gentleman of depriving the tenant of the value of his improvements. Of course, if it had done that it would have stood condemned at once. We do not think it is open to that criticism. It was, therefore, with very great regret that the Government saw the determination of hon. Gentlemen opposite to oppose this legislation —which opposition, having regard to the period of the Session, they can, no doubt, bring to a successful issue. In addition to these Bills the Government have done much to increase the number of Sub-Commissioners. Before the Act of 1887 the number of Sub-Commissioners was 20, and the number of Sub-Commission Courts was four. Now, the number of Sub-Commissioners is 70, and the number of Courts in which they act is 10; and these Courts are far more expeditious in their working than the previous Courts, because the relative number of legal Sub-Commissioners has been diminished. Originally there were two lay Commissioners to each legal

Commissioner, and now the proportion is six to one. But this enormous increase of the staff has not been sufficient to reduce the arrears as much as could be desired. The Government may be driven to increase the number of Sub-Commissioners; but I would remind the Committee that it is not a light matter to make a great increase in the staff. The number of persons capable of undertaking the responsible functions of Sub-Commissioners is not unlimited; and it is a very great evil to be arbitrarily increasing and diminishing the number of the Sub-Commissioners according as the business increases or falls off. The hon. Member reminds us that these Sub-Commissioners are all removable, even more than the Resident Magistrates. How can it be otherwise if the policy recommended by the hon. Member is to be carried out, for his policy is to adapt the number of Sub-Commissioners to the number of cases to be dealt with. If that be done it is impossible to give fixity of tenure. There were 20 Sub-Commissioners a year or two ago; now there are 70; and the hon. Member would make the number 90 or 100. Are they all to have fixity of tenure at £1,000 a year, whether there is business for them to do or not? [Mr. T. M. HEALY: Appoint for a term.] Appointment for a term would not remove the objection that has been taken that the Sub-Commissioners are more or less servants of the Executive. Appointed for terms they would have to be re-appointed or dismissed, and their dependence would be as great as it is at present. The two parts of the hon. Gentleman's criticism of the Government destroy each other, and if he wishes to increase the number of Sub-Commissioners for the purpose of reducing arrears of business, he cannot expect the Government to give permanence of tenure. The Chief Commissioners, however, are in a different position. The hon. Member for Longford a few days ago criticised the continuance in office of the Chief Commissioners from year to year by an annual Bill. I hoped both last year and this year to pass a Bill to remedy what I recognise as a defect. In the ensuing Session we hope to pass a Bill which will give permanent tenure to these officials, who after all discharge high judicial functions. Attacks on the impartiality of all the Commissioners are to be expected, and I do not see how they could be avoided, but I regret that the hon. Gentleman should take part in them. It is inevitable that Commissioners charged by Act of Parliament with the duty of fixing rents should be accused of partiality by one side or the other. It was foreseen that this would be so; but I trust the Committee will abstain from attempting to review the decision of the Land Courts. In my opinion, the head Commissioner acts according to the direction of the Act of 1887 in having regard only to the alteration in prices. The complaint has been made that judicial rents fixed in 1882-3-4 were fixed when prices were high, and that it is wrong to maintain the rents so fixed when prices have fallen.

MR. T. HEALY: It was contended at the time that the clause would enable the Commissioners to take yield as well as price into consideration.

MR. A. J. BALFOUR: I should be surprised if any declaration of that kind could be found in the speeches of any Member of the Government. At all events, the attack upon judicial rents was based upon prices and not upon yield; and the consideration of yield would have injured the tenants, because in nearly all agricultural crops the yield has been above the average this year and last, and the augmentation of rents would have exceeded the reduction of them. I have now noticed all the points that were strictly relevant to the Vote, and I trust that we may be allowed to pass on to other Votes and to make progress with the Estimates.

MR. M. HEALY (Cork): Sir, the only satisfaction which I can derive from the statement of the right hon. Gentleman is the promise which he has made to increase before long the number of Sub-Commissioners for the purpose of getting rid of the enormous arrears of land cases now pending in the Land Courts. The right hon. Gentleman has admitted that the present state of things in the Land Courts is most unsatisfactory. I understood the right hon. Gentleman to say some three weeks ago that there were no less than 47,000 fair rent applications pending before the Commissioners, and that they were being disposed of at the rate of 2,700 a month, a rate which, exclud-

ing holiday months, would occupy the next two years. The right hon. gentleman is aware that during that two years the tenant would be liable to pay full rent. I have had a great deal of experience in the Land Courts, and I can confirm in the strongest manner what my hon. Friend has said, that for the purpose of protecting tenants against evictions while the fair rent proceedings are pending, the equitable Sections of the Act of 1887 are not only useless, but are worse than useless; in fact, an absolute danger to any tenant who may unwisely endeavour to take advantage of them. The landlord can almost in every case, if he pleases, evade the provision of that Act, because all he has to do is to take proceedings in the County Court, and serve his writ upon the tenant for the debt due to him. I can promise to any landlord who does so that the provisions of the Act of 1887 will prove no obstacle to him. The cost of going to the superior Court would be too heavy for the unfortunate tenant. In the first place he would have to pay his own costs of the application, which would amount to £7 or £8, and he would have to pay the landlord's costs as well. I did succeed in getting an appeal in one case, but the costs which the tenant had to pay amounted to £50. It is nothing short of a scandal that the Government should make no practical attempt to expedite the fixing of fair rents. The right hon. Gentleman has compared the staff of Sub-Commissioners now at work with the staff in operation just before the Act of 1887. A more absurd comparison I never heard of. The staff which is now in existence was necessarily called into existence to deal with the mass of cases which turned into the Courts when the Act of 1887 was passed. He should have made comparison with the staff in operation in 1882 or 1883, and he would not have found that serve him very much. The Act of 1881 enabled the Land Commissioners to appoint as many Sub-Commissioners as might be necessary, after first obtaining the consent of the Treasury, who limit the number of Sub-Commissioners whom they have to pay. The Treasury have sanctioned a number at least four or five in excess of the number of Sub-Commissioners now actually at work; and the smallest effort of the Chief Secretary in that direction would induce his friends at the Treasury to appoint a much larger number. The Chief Secretary says he brought in a Bill last year to deal with the enormous mass of cases before the Land Commissioners at present, but there were objections to many of the clauses of that measure. My hon. Friend (Mr. T. M. Healy) has said that the Bill involved confiscation of the tenant's improvements; but I am further convinced, even if that danger were not present, that the Bill of the Chief Secretary as it stood would be absolutely useless for any purpose whatsoever. The Land Commissioners, I would add, under the Act of 1881, have full and complete powers to do what the Bill proposed to do, under another name—namely, instead of getting the work done by Sub-Commissioners, to get it done by Court valuers; but I cannot see how a difference in name makes a difference in substance. It appears to me that all the Bill of the Chief Secretary proposes to do is to confer on Assistant or Land Commissioners the powers which are already possessed by the Court valuers, and which have been found absolutely useless for the purpose which the right hon. Gentleman has in view. I have only one word to say as to this Bill; it would necessitate the appointment of a large number of Assistant Commissioners for the purpose of working it, and if that is so, why on earth cannot he use the power which he undoubtedly possesses of appointing Sub-Commissioners to work the existing Act. I hope the right hon. Gentleman will not permit the present state of things to continue, and that he will appoint additional Sub-Commissioners. My hon Friend (Mr. T. M. Healy) says the Commissioners are removable, and are, therefore, open to influences of an improper kind, and to that the right hon. Gentleman replies that the additiona appointments would involve the element of removability. But the complaint is that the present system combines the element of removability and insufficiency of staff. It does not, therefore, lie in the right hon. Gentleman's mouth to use that argument. When the Act of 1881 passed, the Commissioners were under the necessity of appointing Sub-Commissioners to deal with the exceptional pressure of work, but they divided them

into two categories—those who were to be permanently employed and those who formed the removable staff. Why does the right hon. Gentleman not follow that example? I see nothing whatever in this argument of irremovability, and I do hope the right hon. Gentleman will carry out the promise he has made of increasing the number of Sub-Commissioners. So much for the general working of the Act. But I have a special complaint to make. I have practiced in nearly every union of the County of Cork, and I have to complain in the strongest manner of the way in which that county is treated in this matter. On the passing of the Act of 1887 the County Cork had a staff of Sub-Commissioners — three Commissioners and four Assistant Commissioners, subsequently receiving the addition of two Sub-Commissioners. That staff was adequate to the requirements of County Cork, but the County of Waterford in 1888 was deliberately added, and thus the time of the Commissioners devoted to the County Cork was reduced. Very inconvenient results have followed. At the present rate of progress the balance of work in the County Cork will take three years to dispose of. I find in other counties that the average number in unions within the jurisdiction of the Sub-Commissioners is 17; of the County Cork it is 25, which shows that the latter county is not being fairly treated. The present arrangement is most absurd and inconvenient. At present the two lay Commissioners are sent together to the County of Waterford. The other four are in the County Cork. The two legal Commissioners and the Registrar have to go backwards and forwards between Waterford and Cork. In March last the Commission sat at Bantry, in Cork, and from there the legal Commissioners and the Registrar had to travel 100 miles to a place in Waterford. Next week they travelled 100 miles back to Skibbereen, in Cork, which is only about 20 miles from Bantry, where they could have gone in the previous week in a couple of hours. From Skibbereen they journeyed 150 miles to Dungarvan, in Waterford, and from Dungarvan they journeyed back to another place in Cork. Hampered by these absurd conditions, it is impossible that the Commissioners can get through their work. I ask the right hon. Gentleman to put an end to such a state of things, and give the County Cork a Sub-Commission to itself. One of the Commissioners died three months ago and the vacancy caused has not been filled up. It seems to be the present policy not to increase the number of Commissioners but to actually reduce them. Let me point out to the right hon. Gentleman that all his efforts seem to have been directed to getting rid of the hearings in Court, which are a part of the proceedings that occupy least time. In the County Cork the Commissioners can get through sufficient cases in two or three days to keep the lay Commissioners inspecting for months. The hearing in Court does not occupy more than a quarter of an hour in each case. The right hon. Gentleman is beginning at the wrong end. He should first endeavour to quicken the inspection. His Bill would only meet the case where there is no question of law involved, and where there is no question of law involved the case only occupies 20 minutes. The right hon. Gentleman will gain very little by getting rid of that 20 minutes' hearing, and he will deprive the tenant of the satisfaction he feels in having his case dealt with by a public tribunal. On the subject of appeals, I ask the right hon. Gentleman to carefully consider whether we should not abolish altogether appeal on the question of value, and restrict it to the question of law, on which it is the most proper that both landlords and tenants should have the right of appeal. I think there is general agreement on that point, because it approaches burlesque to see these gentlemen, who know nothing about land, and who are appointed for legal and administrative purposes, hearing an appeal as to the value of a farm which they never saw, and that appeal taken from two gentlemen who are appointed because of their special knowledge about land, and who have gone over the farm on which they have given a decision. That is a matter to which I venture to ask the right hon. Gentleman to give his consideration.

*Mr. T. W. RUSSELL (Co. Tyrone): Sir, the Chief Secretary for Ireland has stated that the yield of all agricultural produce in 1888 was very much better than the yield in 1887. That remark, however, cannot be taken as applying to potatoes, because, compared with 1887,

there was a diminution in the yield of potatoes in 1888 of over 1,000,000 tons. That was a very important factor in many of the poorest districts of Ireland. The number of Sub-Commissioners for which the vote is asked is 70. In 1888 there were 24,000 cases decided; but 6,000 of these were decided by agreement out of Court, so that the actual work of the 70 Sub-Commissioners is brought down to 18,000 cases a year, or 1,500 a month. I can understand how the 70 men only manage to get through 1,500 cases a month after what has been said as to the way in which they travelled about the country. The sooner the Chief Secretary for Ireland takes the Commission in hand the better. But there was another reason for the delay in the settlement of cases. The hon. Member for Longford has spoken of there being a good deal of human nature about the Commissioners in relation to their removability. The Sub-Commissioners are now paid by the day, and it was only human nature for them to lengthen out the job as much as they can. As long as these men are paid by the day the work of the Commission will drag on and the tenants will suffer. Then with regard to appeals, a farmer lodging an appeal is forced to the conclusion that it will be two or three years before his appeal was heard, This ought not to be. What is now done? Two experts are sent down to value the land for the purpose of fixing the rent. The appeal from them is given to three men, who know nothing about land and who send down a valuer. [Mr. T. M. HEALY and Mr. M. HEALY: No.] That makes the matter worse. A valuer used to be sent, and upon his recommendation the decision was given. But even then it was simply one expert in land against two. I, therefore, beg the right hon. Gentleman to give a position of something like permanence to the Commissioners in the Bill, which I hope will be brought forward next year. I trust, also, that the appeal will be restricted to questions of law only. In one of the Returns presented under the Ashbourne Act a sale is recorded in County Galway by the Land Investment and Settlement Company, and I wish to know what the tenants paid in the shape of years' purchase for their holdings, and to whom the Land Commission paid the money.

MR. SHAW LEFEVRE (Bradford, Central): I think, Mr. Courtney, it is impossible to exaggerate the hardship and inconvenience to all parties, and especially to the tenants, which are caused by the delay in hearing cases under the Act of 1887, and the great cost which that delay involves. In 1887, when the last Land Act was under the consideration of this House, I ventured to propose a plan by which those difficulties might be got rid of. That proposal had the assent at that time of all the Irish Members.

MR. A. J. BALFOUR: Sir, I rise to a point of Order. Both the hon. Member for Longford and the right hon. Gentleman propose to discuss the legislative methods for dealing with the block in the Land Court. I have no objection to the discussion of those schemes, but I would like to know whether, if they are discussed, I shall be at liberty to make a full answer.

MR. SHAW LEFEVRE: I discussed this very question last year at some length in Committee.

THE CHAIRMAN: The action of the Commissioners can be discussed on this Vote, and it is quite competent for hon. Members to suggest methods for diminishing the arrears still pending. The hon. and learned Gentleman the Member for Longford did, no doubt, enter at considerable length into an examination of the Statute of 1887, in order to show that it did not get rid of the difficulty of arrears, and it is quite competent for hon. Members to discuss facilitating measures.

MR. SHAW LEFEVRE: I proposed a method of dealing with arrears which received the full assent of Irish Members, and which, if adopted, I believe would have cleared them off, and saved the State a vast expenditure of money. My plan was this—to take holdings under £30 and to apply to them an average of the decisions of the Commissioners with respect to holdings of the same size, and provisionally to fix their rents at the same proportion without reference to valuation, allowing either party the right of appeal to the Land Commissioners. The right hon. Gentleman has taken credit to himself for having made proposals to lessen the amount of the arrears, but it appears to

me that the right hon. Gentleman's method is based on the principle of not consulting the Irish Members on a subject with which they are intimately concerned. I feel satisfied that if he entered into consultation with the Irish Members and made a proposal in the direction I have suggested, he would find it possible to clear off the arrears. For my part, I look with some hesitation and dismay on the proposal to increase the number of Sub-Commissioners. I think there is great force in the remark of the hon. Member (Mr. T. W. Russell) that the method of pay by the day accounts for the slow progress the Sub-Commissioners make—only 1,500 cases a month.

MR. A. J. BALFOUR: That is not accurate.

MR. SHAW LEFEVRE: At all events, the amount of work done is not large. I entirely agree with what the Chief Secretary said as to the inexpediency of increasing the number of Sub-Commissioners, and I agree that the more you multiply their numbers the more difficult it will be to give them security of tenure. The hon. Member for Longford observed that when the Act of 1887 was passed, the Commissioners were not to increase the rent under the schedule of prices. It was never for a moment suggested that the rents should be increased, but that they should be reduced according to the fall of prices. And the hon. Member for Carnarvon proposed that the Commissioners should take into account the yield of crops as well as the prices. I certainly understood from the Debate that the Chief Secretary practically admitted that it would be within the competency of the Land Commissioners to take into account the yield as well as the prices. The hon. Member for Carnarvon withdrew his Amendment. But of this I am quite sure, that if at the time of the passing of the Act of 1887 it had been contemplated that the Land Commissioners might raise the rent, we should certainly have raised the question that the yield as well as prices should be taken into consideration. I own I was greatly surprised to find that the Land Commissioners adopted the course of raising the rents in spite of the protest of their legal members. As to the plethora of work before the Commissioners, I most earnestly urge the Chief Secretary to consider, instead of increasing the number of Sub-Commissioners, some such scheme as I have suggested.

MR. FLYNN (Cork, N.): Sir, I am afraid that the plan which the right hon. Gentleman has suggested would not work well, because of the diverse conditions of the different holdings—some having been reclaimed from mere bog, and others which had been entered upon in a better condition. It would be difficult to apply to such holdings the same average of reduction. As regards the prices of 1888, I think the Chief Secretary will find, on close examination, that he is very much mistaken, and that the average prices of 1888 were worse than the average of 1887. The argument of the right hon. Gentleman contains a fallacy as remarkable in its way as anything which he has foisted on the House since he became Chief Secretary. He says that the prices ought only to be taken into account by the Commissioners. When the Commissioners originally fixed the rents, between 1882 and 1885, they took into account both prices and average yield, and surely when they come to revise the rents they are bound to adopt a similar course. The worse the year the higher the price may be; and if they only take into account the prices, they may be compelled in a year of absolute famine and starvation to raise the rents. I cannot conceive by what course of reasoning the right hon. Gentleman, who is clever enough on most points, can identify himself with an argument so transparently absurd. In the opinion of all people in Ireland who have watched the proceedings under the Land Act since the year 1881 the whole system of administration has been more or less in conflict with the spirit of the Act. What is the use of passing Acts which are supposed to be of value to the struggling tenant farmers of Ireland if they are administered in such a way that justice is denied to the people? I believe that a certain number of these Commissioners are men of fair and impartial characters; but when we see the system under which they are appointed, the class of men who appoint them, and the result of their operations as a whole, it is not surprising that the tenant farmers of Ireland view the proceedings with considerable distrust, and only accept the judicial

rents as a settlement on the principle that half a loaf is better than no bread. Mr. Wrench, who has recently been appointed a Land Commissioner, was a land agent, and belongs at the present time to a landlord club, called the Kildare Street Club, in Dublin. I am bound to say that the feeling in Ireland is that a Commission presided over by a man like Mr. Wrench, cannot be expected to be fair or impartial. This gentleman and his colleagues have the appointment of land valuers and sub-Committees, and, although it is a matter of congratulation that the number of Sub-Commissioners has been increased to 70, we find that a large number of them are connected with the landlord interest. Looking through the list I find that one of them, Mr. Charles Hamilton, is a Member of Kildare Street Club; another, Mr. Armstrong, has been hitherto employed in making valuations for landlords; another is a Galway landlord, another a Roscommon landlord, and so on through the entire list. Take the case of legal Commissioners. If they had only to decide points of law, perhaps the argument would not affect the case so strongly, but I am informed that they have an equal voice with the other Commissioners in the adjustment of the rent and the sole voice in law. The legal Commissioner in the County of Cork, Mr. Lawrence Doyle, has been a strenuous advocate of the landlord party, and is equally well known as a strenuous opponent of the tenants' claims for fair rents under the Acts of 1881 and 1887. About a year ago when a large number of tenants were in Court and their solicitor was making a statement as to the value of the tenancies and the exclusive claim of the tenants to the full value of their improvements, they burst into some kind of applause in Court. The applause was very promptly subdued, and the legal Commissioner turned round upon them, and said he would not have his Court turned into a pandemonium, and called the people who were coming before him as suitors "a pack of howling savages." I can easily understand an outburst of temper from a judicial functionary whose temper was ruffled by an act of disrespect of that kind, but the language Mr. Doyle used shows the animus and the utter want of impartiality on the part of a large number of these men. The right hon. Gentleman has found fault with my hon. Friend the Member for Longford for raising this discussion, and has said that this Committee is wholly unsuited to judge of the impartiality or otherwise of the Sub-Commissioners. But what other Court of Appeal is there in the land? If the people of Ireland have strong grounds for believing that these appointments are unfair, and that the men appointed do not act fairly between landlord and tenant, what other avenue have they for the expression of their opinions except that of their Representatives in this House? This is why we have to raise a Debate on this Vote year after year. It is not out of "pure cussedness," to use an American expression, that Members on this side of the House get up and talk about the Commissioners. It is, to say the least of it, an unpleasant thing for us to find fault with functionaries who are not directly connected with the Executive and do not fall under the same censure as Resident Magistrates or constabulary officers. But we have to point out that there is a widespread feeling in Ireland that the Sub-Commissioners are appointed almost directly in the landlords' interest, and that when they are not landlords themselves or agents, they are directly connected with the landlord interests. It has been pointed out that out of the large number who have been appointed, only eight are tenant farmers. We are told that a large number of them have a practical acquaintance with the value of land, but we are not told how. If 70 Commissioners have been appointed, I want to know why 50 or 60 per cent of them should not have been farmers? There are plenty of hard-headed practical farmers in the North of Ireland whom you might have selected if you object to men from the South and West. Could you not have got 50 farmers, say, from South Tyrone, who could not be accused of undue partiality towards the tenants of the South and West, and yet who would be sure to have a knowledge of the value of land? It would not have been too much to expect that one or two of the members of every one of these Sub-Commissions should be tenant farmers, having a practical acquaintance with the value of land and with the difficulty of making money out of it in these times. I suppose it would be a matter of extreme

difficulty for anyone to arrive by any process of calculation at the average reductions that have been given by landlords in England; but with reference to the instances that have come under my own observation, I do not think I am indulging in the language of exaggeration when I say that the average reductions given in many cases in England without pressure, without Land Acts, and without agitation, murder, violence, and bloodshed, have exceeded the reductions given under the Irish Land Acts after intense agitation. We see on the Treasury Bench two or three Gentlemen who are themselves the strongest examples of the argument I have laid before the Committee, because they themselves have given to their tenants larger reductions than we have been able to get for the tenants who have made all the improvements. We have a maximum of expense and a maximum of legislation with a minimum of results; and if this question of the Land Commission has to be raised again and again on the Vote in Supply, the reason is that the Government have never risen to the height of the situation, and have never honestly and fairly administered the Act in the spirit in which the Legislature passed it. For my part, I believe that, although you may increase the number of Sub-Commissioners from 70 to 100, the land question will still be with you until you change the mode of appointment. I believe that the hard working bees, as well as the idle drones, have some right to a voice in the settlement of the value of the land, and that, until you recognise that, Parliament will have to pass Land Act after Land Act, and will still find itself choked up with arrears of the land difficulty. I am convinced that you will never settle the land difficulty in Ireland until you adopt a different method of dealing with it.

MR. MAC NEILL (Donegal, S.): I wish to refer only to one subject, which has been brought before the House previously, and which, I think, cannot be too often brought before it. Frequent complaints have been made to the Chief Secretary in reference to the question why the tenants have been defrauded of their rights. The Land Commission, either from defects of machinery or from some worse cause, has acted in such a way that men have had the agony and suspense of having their cases left unheard for 18 or 19 months. I have asked many questions in reference to the Olphert Estate, which was a typical case. There you had oppression on the one side and iron-handed power on the other. On the 9th of May I asked the right hon. Gentleman the Chief Secretary for Ireland (Mr. A. J. Balfour) a question in reference to the hard and cruel delay which had taken place in the adjustment of the rents of that estate. The right hon. Gentleman said—

"From the Report received by the Land Commissioners it appears that the applications to fix judicial rents from the Olphert estate, received by them before the 1st November, 1887, and at the present outstanding number not 125, as alleged in the question, but 82."

Eighty-two of these starving tenants had, before the 1st of November, done the only thing in their power to get the rents adjusted and to get permission to live in their own homes for 18 months. No Land Commission was sent down to adjust the rents. The right hon. Gentleman goes on to say—

"All cases received from this estate up to the 31st of December, 1887, are on the list for hearing, which will be delivered in a few days. It may be recollected that the landlord has offered 25 per cent reduction on non-judicial rents, and that any tenant against whom proceedings in ejectment are brought, who has made application to have a fair rent fixed, can apply to the Court in which such proceedings are pending to obtain a stay of execution upon such terms as the Court may direct."

How could a tenant without the means to support himself or his family employ counsel to institute a motion in Dublin to have his case expedited or to get evictions stayed? Under the most humble process in the ordinary Quarter Sessions Courts a defence of eviction proceedings, even if successful, would cost £6. That would be the entire six years' rent of many of these people. Well, the evictions took place, and I heard of the right hon. Gentleman only a few evenings ago glorying in their success, and saying that the battering ram was the best thing to use in reference to such people. Why was not the Commission sent to the estate? In every case the arrangement was to give these tenants no judicial settlements, and to allow Olphert a free hand to dispose of them as he thought fit. This case affords an object lesson

in misgovernment in Ireland, and shows that there is one law for the rich and another for the poor.

*SIR C. LEWIS (Antrim, N.): I wish to refer to the statement made by the right hon. Gentleman the Member for Bradford (Mr. Shaw Lefevre), that during the Debates on the Act of 1887 it was never suggested by anybody of position that that Act could possibly be used with the result of increasing rents. My recollection of what took place during the Debate was so different from that of the right hon. Gentleman that I have taken the trouble to refer to the report of the discussion. I find in Volume CCCXVII. of *Hansard*, page 416, that no less a person than my noble Friend the First Lord of the Admiralty, whose connection with the Land Question and with the landed interest in Ireland is perfectly well-known, said on the 11th of July, in reference to a speech which had been made by the right hon. Gentleman the Member for the Stirling Burghs (Mr. Campbell-Bannerman):—

"The right hon. Gentleman went on to say that under these proposals the rents might be increased, and that that was unfair. But our object is to do justice between man and man, and if you allow the tenant to go into Court that his rent may be reduced if it is too high, why should you take from the landlord the power of having his rents increased where they are too low?"

I am not entering into the question whether it was just or prudent on that occasion to include in the provisions of the Bill an enactment which could be used in that way. I am dealing simply with the question whether the right hon. Gentleman was right in maintaining it was never contemplated by any one that rents might be increased. During the Debate from which I have quoted this very probability was used as argument on each side of the House. I merely rose to refer to this point, as I think it is a matter of the gravest importance that the Debate on this matter should not go upon wrong lines, and that we should keep to the facts of the case.

MR. SHAW LEFEVRE: I made the statement after reading the Debates which took place in 1887, and after special reference to the speeches made by those who were responsible for the Bill—the Chief Secretary and the Irish Attorney General. I did not think it worth while to read the speech of the First Lord of the Admiralty, which, after all, does not lay down principles; his observations are merely in the nature of *obiter dicta*.

MR. M'CARTAN (Down, S.): The hon. Baronet has, as usual, been advocating the interests of the landlords, and I believe that in the Debate to which he has referred it always was in the minds of the landlords in this House, and, indeed, in the minds of hon. Members opposite, that there should be an increase in the rents. It was intended, if possible, to turn the Land Bill into a weapon against the tenant in favour of the landlords, and well have hon. Members succeeded in doing it. In the year 1881, when the Land Law (Ireland) Act was passed, hon. Members opposite admitted that it was absolutely necessary to bring in a Bill to deal with arrears, and a similar admission was made when the 1887 Bill was before the House. But all that was done in the latter case was to provide that any reduction of the rent should be applicable to the rent accruing from the gale day next before the application was made to the Court. For instance, if the application was made before November, 1887, the rent running from May, 1887, would be affected by it. It then became the duty of the Government, in order to bring the relief to the tenants which was so much required, to appoint a sufficient number of Sub-Commissioners to administer this law which the House passed, and which the House itself intended for the relief of the Irish tenants. But what has happened? For nearly two years applications have been before the Court that are still unheard. Time after time has the attention of the right hon. Gentleman the Chief Secretary been directed to this fact—that there is not a sufficient number of Sub-Commissioners to deal with the applications of tenant farmers to have fair rents fixed. Time after time I, myself, have directed his attention to this fact, and it has also been pointed out from these Benches, that there are in Ireland landlords hard-hearted enough to enforce their powers against tenants whose applications to have a fair rent fixed are still pending. One of the first of the landlords to carry out this act of injustice towards tenants was the head of the Executive of the Government, the Lord Lieutenant himself. The unfortunate tenant tried by

every means in his power to come to a settlement with Lord Londonderry; he offered to leave the matter to arbitration. But it was of no avail; the Lord Lieutenant wanted to set an example to the rest of the landlords of the country, in order to show them how to turn the Act of 1887 into an engine of persecution against the tenants. But while we were not allowed a sufficient number of Sub-Commissioners to carry out the remedial provisions of the Land Act, we were given a sufficient number of removable officials to carry out the penal enactments of the Statute, and to enforce the charges made against unfortunate tenants, who rushed back to the homes from which they had been unjustly evicted. Now, what is the remedy for this state of things? I do not agree with the right hon. Gentleman the Member for Bradford that the appointment of additional Sub-Commissioners would not be a remedy. It is, to my mind, the only remedy that there is. You want a sufficient number of Courts to deal with all the cases which are awaiting settlement, and unless you have a sufficient number of Commissioners, how can the cases be disposed of? One of my hon. Friends has pointed out that in certain counties you only have one legal Commissioner to preside over three sets of Sub-Commissioners. In the North of Ireland—in County Down and County Antrim—that state of things prevails, and the legal Commissioner has to be continually travelling from one part of the county to another in order to take part in the work of the Sub-Commissioners. This, to my mind, is a most unnecessary expenditure of time and money, and it is certain that if we had more legal Commissioners the Sub-Commissioners would be able to get through a considerably greater amount of work. I do not agree with some of my hon. Friends who have suggested that the appointment of two laymen to sit with County Court Judges in order to deal with these cases would give satisfaction. My experience in the North of Ireland leads me to an entirely different conclusion. In my own county, for instance, we have a County Court Judge whose tendency is certainly in favour of the landlords, and what has been the result? Why, since the passing of the Act in 1881, not half a dozen cases have been brought before him by the tenants. In fact, they will not avail themselves of the opportunity of going before this County Court Judge. It is my opinion that the Court which the right hon. Gentleman now proposes to constitute will prove nothing more or less than a mockery. It is a Court which will not command the confidence of the tenants, and I would strongly recommend the Chief Secretary not to persevere with his proposal. There is another subject to which I wish to refer, and that is the subject of appeals. I think it is a scandal that appeals which have been pending for three or four years are still unheard. A short time ago we had a sitting of the Land Commission in my own county, and several appeals were tried without the holdings being inspected by the Commissioners. In a large number of the cases the rent was increased, but in some seven or eight cases the decisions were withheld, and it has since been decided that a Court valuer should be sent to inspect the farms. But who is the Court valuer to be? It is Mr. Babington, a land agent in the County Armagh, a gentleman who has never appeared in the Land Court unless it has been to give evidence in favour of the landlords. I should like to ask the Chief Secretary why such a man as that is appointed to this position? Under the present state of affairs, I think it would be far better if we had no appeal on the question of value. I think that the appeals should be limited to questions of law, and I go farther, and say that in order to get rid of appeals within a reasonable time there should be power to go before a Judge of Assize and get the point decided. With regard to the revision of judicial rents, I was very glad to hear my hon. Friend's references to this matter. We have never been able to lay our hands on the instructions which have been sent out to the Commissioners with regard to the basis on which the revision shall be made. We find that in the year 1887, when straw was very dear, it was dealt with as one of the articles of produce on which to ground the revision of rent; but in 1888, when it was very cheap, it was conveniently omitted from the list, and the tenant was deprived of all advantage arising from the reduction in the price of straw. Now, I should like to know on what principle the Land Commission

proceeds in regard to the revision of these rents, and I think we ought to obtain this information from the Government. In conclusion, let me state that the course which has been adopted by the Chief Secretary is not one which is calculated to give satisfaction to the people of Ireland. I would strongly suggest to the right hon. Gentleman that if he means to do anything towards pacifying the country he must alter his whole course of procedure, and administer the Land Act in a very different spirit.

MR. O'DOHERTY (Donegal, N.): I have had as much experience as any Member of this House in the matter of the Land Courts practice. I have had experience of the working of the Sub-Commissioners and of the Head Commissioners, and I have had experience of every kind, especially on the question of appeals. Now, I do not agree with the suggestion that the Head Commissioners do not listen to the evidence as to the value. On the contrary, my experience is that they consider that evidence fairly and conscientiously. Where I think the mistake has been made, is in cases where Sub-Commissioners who are best acquainted with a pastoral country are brought in to value land in a tillage country, and I am happy to say that even where these mistakes have been made they have been rectified on appeal to the Head Commissioners. The men who are chosen as Sub-Commissioners are generally large farmers—men in the occupation of large tracts of land—and they are, therefore, competent judges for large holdings, although they may be poor judges for small farms. An appeal, therefore, on the question of value is necessary. The great thing is to do justice between landlord and tenant in regard to a particular farm, and if mistakes have been made in doing that, it has been possible to get them remedied by appeal. My hon. Friend who spoke last has complained of the appointment of a gentleman as Court Valuer with whom I am well acquainted, and I must say that when I heard of the appointment being made I viewed it with pleasure, because, although Mr. Babington was a landlord's valuer, he undoubtedly succeeded a man to whom he was infinitely superior. I do not think that my hon. and learned Friend need be afraid that Mr. Babington will do any injustice to the tenants. I know it is impossible, under the present administration, to appoint anyone to these positions who has not strong Conservative support; but I believe that, when appointed, these gentlemen do their duty well, and I think it is to be regretted that the hon. Gentleman should look upon Mr. Babington as a *bête noire*. The Sub-Commissioners, at any rate, are not so bad as our friends the removables under the Crimes Act, and they certainly do not deserve that unqualified condemnation which some of my hon. Friends seem inclined to shower upon them. We must view things as they are, and not as if we lived in Utopia. Another matter I wish to point out as a reason why the Sub-Commission will always have my strong support, and that is that they bring justice to the poor man's door. This is in itself sufficient, to my mind, to make allowances for the natural defects of men who are not trained lawyers and have not shone as legal lights. As to leaving decisions to the hurry and chances of the Assize, I say, "deliver us from that evil" above all things. I hope the right hon. Gentleman will not accept that suggestion; that would mean that you would not have a case properly heard at all. I have had as much experience as most men on these matters, and I can say that such an arrangement would not conduce to justice between landlord and tenant, and before a case was tried it would be estimated, from the known character of the Judges, when the landlord would be treated severely, and when the tenant would be treated severely. I have only to add that I deplore the delay that has occurred everywhere, and, not the least, in my own district, and for this the Government have incurred great responsibility, having regard to the peace of the country. It is not by raising the Police Estimates they can secure that peace. Why haggle over a few thousand pounds for the expense of another Sub-Commission? Why you spend in half a year on extra police and Crimes Court officials enough to supply the entire machinery for wiping off the arrears of judicial rents. If the Chief Secretary connot bring his mind to transfer the expenditure, let him by way of equipoise spend a pound on the Land Court for

wiping out arrears for every pound spent on the Crimes Act, and he will find the arrears quickly lessen; and perhaps he will find he can decrease his Crimes Court expenditure as quickly. My object in rising was to deprecate any change of policy in the way proposed by my hon. Friend. I say you cannot have a tribunal for the hearing of these cases half as good as the present. I had experience of the working of the Act of 1870, and from the passing of that Act to 1881 I had, I suppose, as much active interest in the cases that came before the Court as any man, and I can say that it was the want of sympathy of the County Court Judges that forced the Act of 1881. The Act of 1870 failed of its effect in a great measure through the cold technicality of County Court judgments, but we have now a tribunal with some portion of sympathy with the matters they deal with. Let us not criticise this tribunal too severely. They make mistakes, as every tribunal will, but the great grievance is not due to any fault of theirs—it is due to the right hon. Gentleman and his fear of the British taxpayer. Well, the British taxpayer was played out last night. I hope the right hon. Gentleman will take a more cheerful view, after seeing what the British taxpayer can be reduced to. I hope the right hon. Gentleman will take courage and spend money on the Land Court.

MR. MAURICE HEALY: I think, before the Question is put, we might be favoured with a reply from the Treasury Bench.

MR. A. J. BALFOUR: I am very reluctant to add another to the many speeches I have made, but if the hon. Member thinks it necessary I will do so. I do not think it is necessary for me to survey the whole course of the Debate since I last spoke, and I think the hon. Member who has just spoken has demolished the accusations brought against the Land Court. We were told earlier that eight Sub-Commissioners only were drawn from the tenant farmer class, but the hon. Gentleman has shown that this class is very numerously represented, so on that point it is not necessary for me to speak. Then the right hon. Gentleman the Member for Bradford went into the scheme he propounded last year, by which an automatic system of fixing fair rents should be adoped towards small holdings. I do full justice to his motives, but I do not think he has quite apprehended the difficulties that would attend any rough-and-ready process of the kind suggested. The right hon. Gentleman also stated that the number of cases disposed of by the Court in a month is 1,500, repeating an error into which the hon. Member for South Tyrone fell. The number of cases disposed of in June last was 2,300, and I hope cases will continue to be disposed of at that rate.

*MR. T. W. RUSSELL: I gave the numbers for 1888. A very large number of cases are disposed of out of Court.

MR. A. J. BALFOUR: Yes, but the year 1888 shows an average that is not a real test of the speed now shown in giving decisions. For a considerable period in 1888 there were not so many Sub-Commissioners at work as there are now. The present speed is much above that of 1888. Then a great many criticisms have been passed on the arbitrary manner as hon. Members think in which Sub-Commissioners have been moved from one part of the country to another, compelling them sometimes to traverse long distances. In this respect, I believe, a great reform has been effected by the Commission in the last few months, and whereas formerly cases used to be taken in the order in which they were listed for hearing, now, some regard is had to the manner in which the holdings are distributed. The Land Commissioners have in view, as far as possible, the economising of the time of the Sub-Commissioners, and they have devoted themselves, not unsuccessfully, to administration in this respect, and I hope, even without the passage of the Bill I am anxious to have passed, a still greater amount of work can be got out of the Land Commission in proportion to the number of persons employed. That, I think, includes all the references I have to make.

MR. MACNEILL: There was my specific charge in reference to the rehearing of cases on the Olphert Estate.

MR. A. J. BALFOUR: The hon. Member for South Donegal has made it a matter of complaint that the Executive did not send down a Land Commission Court to fix fair rents on the Olphert Estate. I may tell the hon. Member

that I have no control over the movements of the head Commissioners or Sub-Commissioners. The House has given an absolute discretion to those officials, and the Executive have no right at all to interfere. But if the hon. Member is really of opinion that any serious injury has been caused to the tenants on the Olphert Estate by the absence of a Land Court decision, he is labouring under a mistake. The landlord offered a reduction of 25 per cent on non-judicial rents, and the utmost reduction that would have been made by a Land Court would have been from 30 to 35 per cent. The difference between the voluntary and the judicial reduction would only amount to 6d. or perhaps 1s. in the year. That being so, it is a great exaggeration to represent that a serious loss has been inflicted upon the tenants. I hope the Committee will now feel that we have dealt sufficiently with this important Vote, and that we may pass to Votes of not less importance.

MR. M. J. KENNY (Tyrone, Mid.): There is one question connected with the disposition of these cases to which I should like to call attention, and that is the manner in which the Commissioners are turned loose into counties altogether without regard to their local knowledge of requirements in the districts where they are called upon to adjudicate. A Sub-Commissioner is taken from Dublin and sent to fix fair rents in Donegal, and though he may be perfectly acquainted with the conditions of agriculture in the first mentioned county he may be absolutely unacquainted with the requirements of Donegal. So also to send a man from Ulster to fix fair rents in the County of Cork, where the system of agriculture differs widely from that in the North, almost amounts to a travesty of justice. I would urge that the labours of a Sub-Commissioner should be confined, as far as possible, to the province with the agricultural conditions of which he is well acquainted. A man well accustomed to the usages of Ulster may be unqualified to appreciate the requirements of Munster or Connaught. In Munster you have grass farms combined with little cultivation; in Ulster you have wholly different conditions of farming. What would be a large farm in Ulster would be a very small farm in Munster, and fair rents have to be determined on wholly different conditions of farming. There are parts of Ireland where the conditions differ more widely than they do between some parts of Ireland and England. I would urge, therefore, that Sub-Commissioners should deal as far as possible with cases where the conditions of farming are nearly identical. That will conduce more to uniformity in the fixing of fair rents upon an intelligent system, and greatly reduce the number of appeals. Then under Sub-head D I observe an increase in expenditure for collecting market prices, which cannot, I think, be excused; and there is less excuse when we find associated with this increase, an increase in the judicial rents under the Act of 1887, and the self-acting machinery for increasing or decreasing judicial rents. The increase has been in a manner never contemplated under that Act, and indicates that the system of collecting prices is imperfect. I am convinced that had this result been foreseen the clause in this Act would never have been sanctioned. Warnings were given at the time, but unheeded; and unfortunately the result on the increase of rents has surprised even the landlord party. Unfortunately, too, the only Chief Commissioner who occupies an independent position, and can give an opinion on legal authority is Mr. Justice O'Hagan. The other Commissioners holding their tenure of office from year to year are apt, as the time for renewal of office comes round, to become extreme advocates of the landlord party. I would urge on the Solicitor General the consideration of my suggestion in reference to the fixing of fair rents by Sub-Commissioners acquainted with the conditions of farming in the districts in which they adjudicate.

Vote agreed to.

CLASS II.

Motion made, and Question proposed,

"That a sum not exceeding £4,478 be granted to Her Majesty to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, for the Salaries of the Officers and Attendants of the Household of the Lord Lieutenant of Ireland and other Expenses."

MR. MACNEILL: I have but a few words to say in reference to this Vote, and I regret that it takes precedence of the more important Vote for the Chief Secretary. However, a vast sum of money is wasted on the frippery and nonsense of this gingerbread Court, and many items require examination. There is an entry of £829 0s. 8d. for the Private Secretary of the Lord Lieutenant—there is a certain economic ring about the 8d. What are the duties of this gentleman that he should require such a large remuneration? He has not occasion to write many letters, he has not occasion to correspond with "Dear Mr. Armytage." Does he keep the Lord Lieutenant's racing accounts? Let the Chief Secretary consider. He could keep two Resident Magistrates for this amount! Cecil Roche and Captain Segrave could go from one end of Ireland to the other and sentence us all to six months' imprisonment for this amount. Then what do the four Aides-de-camp do for their £200 each? What are the duties of the three gentlemen in waiting who, together, receive £443? Will the Chief Secretary, the Secretary of all Secretaries, tell us what are the duties of these gentlemen? Does the Private Secretary draw up those short and foolish speeches with which from time to time Lords Lieutenant irritate the people? What are the functions of the State Steward, for which he is paid £506, or of the Comptroller with £414? Does the Gentleman Usher or the Chamberlain discharge any duty for the salaries they receive? The same question applies to the Master of the Horse and the Sergeant of the Riding Horse. Is there a riding horse in the Castle, or where does the Sergeant earn his £30 a year? Passing from these I come to the provisions made for the welfare of the soul of the Lord Lieutenant—and these amount to £789. The chaplain to Dublin Castle is allowed £335, and his reading clerk £42; organist, choristers, and chapel keeper bring up the total to £789. But I would ask do any members of the Lord Lieutenant's household attend the ministrations of the chaplain? Do they not usually attend the services at the Hibernian Military School, or St. Patrick's Cathedral, or elsewhere? Very interesting also are the items under the head of "Salaries and Allowances for the Office of Arms." First we have "Ulster King of Arms," £920. Sir Bernard Burke supplies genealogies and arms to all and sundry who require such distinction. No doubt he would, if requested, add a "battering ram" *argent* to the Chief Secretary's quarterings. Various other items make up the total of this sub-head to £1,091. Now that would not be an unreasonable amount for the genuine work that Sir Bernard Burke does. He is a learned antiquarian scholar, and his services as keeper of the State Papers in the Irish Record Office are most valuable. But for the most genuine work he does in this capacity he is paid much less than for ministering to the extravaganza at Dublin Castle, and deciding questions of precedence between a "knight banneret" and a "knight bachelor," or who has the claim to take certain ladies in to dinner. Then there is the entry of £12 16s. for the "kettle drummer" to which official reference has been often made in this House, and who still survives all criticism, and then we come to the expenses for the Insignia of the Order of St. Patrick, £60, and it is curious to note that the emblazoning and repairing of arms invariably comes to the same amount every year. The insignia are never cleaned. They are dirty deal shields, and so on, in St. Patrick's Cathedral. They are never brushed from year's end to year's end, and the cobwebs are never removed from them. Yet £60 a year is charged for attending to them. It will be little short of a gross violation of trust if we vote the sum. The Committee is asked to supply money for keeping up the paraphernalia of a gingerbread Court, and for administering to the vulgar vanity of people who have emerged from shops, and are ashamed of their origin.

MR. BLANE (Armagh, S.): One would have thought that the Lord Lieutenant got quite enough money to pay his own servants. An examination of the list of minions who are attached to the vice-regal household shows that a number of them are in receipt of very large pensions. We are bound to believe that the pensions have been awarded to them because they are no longer of any service. Here, however, they turn up smiling, and one of them

gets £150, another £250, another £240, and so on. The one who has £240 is surgeon to the Dublin Metropolitan Police Force, and everybody who is acquainted with that force knows that any farrier or blacksmith in the City could do all that is required. A great many of these appointments date back to the Lord Lieutenancy of the Duke of Abercorn, and I think that no one knows better than the right hon. Gentleman the Member for Bristol (Sir M. Hicks Beach) how the hungry Hamiltons in Ireland search for every office. Their maw is insatiable. They hang on to their friends in every Department, and there is no getting rid of them. These men are the boa constrictors of the State. If anyone rises in this House to protest against their proceedings, a defence is always made for them. £800 a year is spent on aide-de-camps to the Lord Lieutenant, though those who occupy the posts already draw their pay as officers in the Army. Then there is a chaplain, I suppose for the preservation of the soul of the Lord Lieutenant. I wonder whether it has never struck Lords Lieutenants with surprise that their souls should be so very expensive. I cannot imagine why the Lord Lieutenant should not pay for the servants of his household. If I had £20,000 a year from anybody I would pay my own servants. Of course we are told that the Lord Lieutenant could not keep up the necessary state unless he had this staff. I can understand that there should be a certain amount of state in the Court of the Sovereign; but surely no one expects that you should keep up splendour in the half-crown Court of Dublin. Even the Chief Secretary cannot endure to spend more than three days there at a time. The place is left to dusters and housekeepers—some of the officials have residences outside in the small suburban villas of Dublin, and they rarely put their noses into the place. To throw down £7,400 of the public money every year to be scrambled for by these people is really preposterous. As I said before, the Hamiltons, the Stewarts, the Vane Tempests, and the other families that exploit Ireland for the benefit of themselves and their followers should pay their camp-followers themselves. These camp-followers are generally a most useless and vagabond set, and would not be tolerated in any other country in the world.

MR. M. J. KENNY (Tyrone, Mid.): I hope the Committee will not fail to note that this Vote does not represent all that is asked for for the Lord Lieutenant, the total amount being not £7,400, but £38,600. I am disposed to think that a Vote of this kind is more or less necessary as long as the Lord Lieutenant is retained. We may, some of us, have no objection to the principle of the maintenance of the Lord Lieutenant, and I myself think it a very good thing that it should be maintained. I believe I am right in saying that the office of Lord Lieutenant is not a profitable one, inasmuch as the holders of it have always to expend more than they receive, but at the same time I must enter my protest against such a large number of minor useless offices, some of which are purely grotesque, being attached to the Department. I think that the office of Ulster King-at-Arms, held by Sir Bernard Burke, might very well be dispensed with. He is a great genealogist, and has published many books which have more circulation in England than in Ireland. The reward he has got for publishing these books is that of being practically quartered on the taxpayers of the country. He receives £750 as Ulster King-at-Arms and £500 a year more as Keeper of the Record Office. Both these offices are sinecures. As Keeper of the Records Sir Bernard Burke has an unrivalled opportunity of making himself useful in the collection and publication of documents dealing with the history of Ireland. With the exception of tracing the history of families he has done nothing whatever to earn his salt. I would respectfully suggest to the right hon Gentleman the Chief Secretary if he happens to be Chief Secretary when Sir Bernard Burke resigns or vacates his office, that he might very reasonably reduce this annual Vote by abolishing the Office of Ulster King-at-Arms. There is in the Vote an item of £40 for providing certain insignia for the Order of St. Patrick. I believe that no investiture of the Order has taken place during the last twelve months, and I do not understand what the item is for. The Vote also includes an item of £1,563 for Queen's Plates. This was originally intended for the purpose of encouraging and im-

proving the breeding of horses, but in England it has been discovered by experience that the money so devoted does not produce any satisfactory results, and it has been devoted to other purposes. At present there is already an allowance of £5,000 annually made to the Royal Dublin Society for the encouragement of horse breeding, and it would be far better if this sum of £1,500 was also devoted to that society for a similar purpose. I should be sorry to ask the Committee to reject the sum, but I think the whole amount that comes under Sub-head D might be dispensed with; and for the purpose of protesting against the waste that occurs in this connection, I beg to move to reduce the Vote by £1,091 for the salaries and allowances of the Office of Arms.

Motion made, and Question proposed, "That Item D, of £1,091, for Salaries, and Allowances of Office of Arms, be omitted from the proposed Vote."—(*Mr. Matthew Kenny.*)

MR. A. J. BALFOUR: I think the hon. Gentleman in the attack he has made on the Ulster King-at-Arms has omitted to refer to the fact that the expenditure of £1,100 is not a charge on the Treasury. At all events, he carefully kept it out of his observations. As a matter of fact the Office of Arms is almost self-supporting, the fees received being nearly sufficient to cover the expenditure of the office. The average deficit is annually only about £220 a year. Attacks have been made on various officers of the Lord Lieutenant's household. I do not think it is worth while to enter into details, but I will content myself with saying that so long as there is a Lord Lieutenant there must be a Lord Lieutenant's household. Whether there ought to be a Lord Lieutenant at all is an open question, and one upon which the hon. Member who introduced this subject appears to have a much more decided opinion in favour of the retention of the office than I myself have. As has already been stated, however, there are certain offices which, when they become vacant, it is not intended to fill up without previous consultation with the Treasury. Among these are the offices of Ulster King-at-Arms and the drummer who is the last survivor of the Viceregal band. With regard to Queen's Plates, I confess that I am not an admirer of this mode of encouraging horse breeding, and when I was Secretary for Scotland I did what I could to alter it in Scotland. As Chief Secretary for Ireland, soon after taking office, I inquired into the subject, but a very small amount of inquiry convinced me that any attempt to interfere with the Queen's Plates would raise a storm of indignation, and this I was unwilling, in regard to this subject, to undergo. I quite admit that I do not wish to add to the many controversies which I already have on my hands with regard to Irish affairs. The hon. Member holds, perhaps rightly, that the money might be better spent in encouraging horse breeding. In that opinion, however, he needs the concurrence of many of his friends, and certainly of many people in Ireland.

MR. M. J. KENNY: I have the support of everybody except those who are personally interested in the races.

MR. A. J. BALFOUR: I think the hon. Member is wrong, and that if I took the course he asks me to take a large number of gentlemen opposite would get up and denounce this new instance of alien tyranny. I hope the hon. Member will not think it necessary to press his Motion to a Division, and I hope the Committee will consent to pass the Vote, which is not for the Lord Lieutenant, but for his household, a Vote of a kind that must pass so long as Parliament determines to maintain the office.

MR. MAC NEILL: The right hon. Gentleman has not referred to the ecclesiastical establishment.

MR. A. J. BALFOUR: The ecclesiastical establishment of the Lord Lieutenant comes directly under the general argument I have used. If you abolish the ecclesiastical establishment you will not effect an immediate economy, because you will have to give pensions to the present holders of offices. It has always been held that an ecclesiastical establishment is a necessary part of the Lord Lieutenant's household. In these circumstances I should no more assent to the abolition of the ecclesiastical than I should to any other part of the Viceregal state.

MR. FLYNN (Cork, N.): I should not have troubled the Committee but for the concluding observations of the right hon. Gentleman. It seems to be

his peculiar misfortune, or else it is his deliberate intention, that whenever he intervenes in Irish Debates, whether of a set character or upon the Estimates, to raise a storm or, at all events, to set a breeze ablowing, which is altogether unnecessary. Anyone who listened to my hon. Friend will agree that he spoke in a most temperate manner, and certainly there was no idea in our minds of that "acrimony and that storm of indignation" to which the right hon. Gentleman refers in connection with the Vote for Queen's Plates. We reserve our indignation for some subject more worthy of it; we reserve it, for instance, for the consideration of the salary of the right hon. Gentleman himself.

THE CHAIRMAN: The hon. Member is straying beyond the limits of the Amendment before the Committee, which is to omit the item for Ulster King-at-Arms.

MR. FLYNN: I defer to your ruling, Sir, and will only refer to the item, and at once I take issue with my hon. Friend who has moved the reduction. This item is one of the last remnants of respectability allowed to remain from the Civil List of the ancient Irish nation. It is a touching tribute from a parsimonious Treasury to the instincts of a separate nation, and to the treatment that nation is entitled to at the hands of the people of this country. It is a survival of the time when Irishmen, whether they recognised the Lord-Lieutenant or not, were proud of a state of things in which there really is a Court, and something more than the tawdry flippery and trivial tinsel such such as we now see in Dublin. I do not agree with my hon. Friend in his Motion for reducing the Vote. But it is needless for the Chief Secretary to talk of denunciation of tyranny; there is nothing of the kind in this discussion. I express my opinion when I say that I should regret to see the item abolished, and I hope that when the present occupier of the office has ceased to hold it his successor will hold it under circumstances of greater dignity under the authority of this or of an Irish House of Commons. Differences of opinion we have on this subject, but the right hon. Gentleman altogether transcends the importance of these differences. It is one of the functions of this Committee to criticise these items, and of this amount of £7,478 for the household of the Lord Lieutenant there is much, if we were disposed to criticise with severe economy, to which we might take exception. The Vote for the Lord Lieutenant himself is withdrawn from criticism because it is payable out of the Consolidated Fund, but all the criticisms that we address to this particular Vote before us are not unconnected with the higher subject which we have in view, though technically we cannot deal with it. I hope my hon. Friend will not find it necessary to divide on his Amendment.

MR. COSSHAM (Bristol, E.): It is quite clear that we cannot enlist our Irish friends on the side of economy, and that whatever is to be done in that direction must be done by English Members. I would contrast with this enormous expenditure, which we are called upon to provide for the Lord Lieutenant of Ireland, the figures that in the same connection apply to that great people on the other side of the Atlantic.

THE CHAIRMAN: The question before the Committee is the Motion on the item for the Ulster King-at-Arms.

MR. COSSHAM: I quite understand that, because it is part of the household expenditure which I conceive to be on an extravagant scale, and of it this item of £1,091 is a considerable part. It does not appear to me that a poor country like Ireland is justified in having all this expenditure on a Court, and if a Division is taken I shall certainly support my hon. Friend. We have the assurance that some of these offices will not be filled up when vacated by the present holders. I hope this will be carried out rigorously, and that the right hon. Gentleman will retain office long enough to give effect to his undertaking.

The Committee divided:—Ayes 68; Noes 101.—(Div. List, No. 334.)

Original Question again proposed.

MR. GILL (Louth, S.): There has been an outcry in some quarters for the abolition of the office of Lord Lieutenant, and it has been stated that the office has been filled in recent years by those who certainly have not endeared it to the Irish people. For my own part, I am not prepared for the abolition of the office, for as long as Ireland occupies the position she does under the Act of Union, I look upon the office of Lord

Lieutenant as one of the few symbols left of our separate nationality.

THE CHAIRMAN: It is not competent for the hon. Member to discuss the question of the abolition of the Lord Lieutenant.

MR. GILL: I was merely making a reference in passing. I was going to refer to the changes in the personality; but I pass from that. I will only say, in relation to the present holder of the office, that the Irish people have good reason to believe that they do not get full value for its retention.

THE CHAIRMAN: The allowance to the Lord Lieutenant is specially charged upon the Consolidated Fund, and it is impossible to discuss the performance of the Lord Lieutenant upon this Vote.

MR. GILL: Under the circumstances, I do not think is worth while my proceeding any further.

MR. M. HARRIS (Galway, E.): It is a delusion and a sham to vote this money to keep up the household of the Lord Lieutenant while the homes and rooftrees of people in all parts of Ireland are being levelled to the ground by the forces under his control. Day after day we have records of these things, and certainly if I had it in my power I would sooner vote money for the support of these poor people and their homes than I would vote anything to keep up the household of the Lord Lieutenant.

Question put, and agreed to.

Resolutions to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £26,271, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, for the Salaries and Expenses of the Offices of the Chief Secretary to the Lord Lieutenant of Ireland in Dublin and London, and Subordinate Departments."

MR. SHAW LEFEVRE: I do not rise for the purpose of raising any general discussion on the policy and administration of the Chief Secretary for Ireland, but for the purpose of raising a specific question in accordance with an undertaking which I gave some days ago, namely, as to the correspondence between the Chief Secretary for Ireland and Father Costello, the newly-appointed parish priest of Woodford, and with Bishop Healy, the coadjutor Bishop of that diocese in reference to the renewed wholesale evictions by Lord Clanricarde on that property. It is now some 18 months since I dealt with the whole of this question, and still this miserable dispute continues; from time to time fresh batches of evictions have taken place in continuance of Lord Clanricarde's avowed purpose to clear his property if the tenants did not give way and abandon to their fate those already evicted. Within the last fortnight 24 families have been evicted, 15 of them on the Portumna estate, where, owing to circumstances I will presently mention, there have been no previous evictions; nine of them on the Woodford estate, and of these nine I am informed that five are widows. Adding these to previous evictions, I find that 97 families have been evicted; and upwards of 170 persons have been sent to prison for various causes under the Coercion Act, directly or indirectly connected with this dispute. Further evictions on a large scale are threatened. Upwards of 60 tenants on the Portumna estate are in a position where they may be evicted at a moment's notice; a still greater number are in the same position on the Woodford estate, and, taking the whole property, I am told on authority I cannot doubt, that 800 tenants may be evicted if agreement is not come to. Under these circumstances, I have felt it a public duty to make a final protest before the House rises and to urge on the Chief Secretary for Ireland a course which will prevent what I believe will be a crime of unparalleled magnitude—namely, the clearance and depopulation of a whole district. Some days ago, before the recent batch of evictions, I put a question to the Chief Secretary for Ireland with reference to his correspondence on this subject and asked him to produce it. The Chief Secretary for Ireland replied to me in a tone and in terms which, if I did not wish on the present occasion to eliminate any personal controversy, I should feel it my duty to characterise in the terms it deserved. The Chief Secretary said he had no intention to gratify my curiosity by submitting to me his private correspondence. Hon. Members will probably understand by this that the parish priest of Wood-

ford and Bishop Healy have written to the Chief Secretary for Ireland in a private manner, and not intending their correspondence to be made public. This, however, is not the case. I have the assurance of both those gentlemen that their letters were of a public character, on a public matter, intended to be made public. The Chief Secretary for Ireland, in reply, took the unusual course of making his letters private. In my experience, which extends over a good many years, I have never known a Minister, written to on a public matter, mark his letter in reply private. But I have consulted other and better authorities than myself on such matters, and I am told that it is a most unusual course for a Minister to answer public matters by a private letter and to refuse their publication. It can only be justified where the reply introduces fresh matter, which I understand was not the case in this instance. I have before me the letter of Father Costello, the parish priest of Woodford. This gentleman has only recently been appointed to that post in place of Father Coen, whose death was caused by the anxieties he underwent in consequence of this unfortunate dispute. [*Mr. A. J. Balfour at this point returned to his place.*] I am glad the Chief Secretary has returned, because although I quite appreciate the large amount of time he devotes to the business of the House, yet the matter I wish to bring forward is one which specially concerns himself. Father Costello is one of the most moderate men, though with deep sympathies for the tenants, and his first task on being appointed was to make an effort for the settlement of this question. He obtained authority from the tenants to act for them, and he then entered into communication with Lord Clanricarde. What occurred will best be explained by his letter to the Chief Secretary for Ireland. He wrote—

"As parish priest recently appointed, I have, in the interests of justice and the public peace, endeavoured to effect a settlement of this unhappy dispute between Lord Clanricarde and his tenants. The latter authorised me to convey to his Lordship, as I did, that they were willing either to purchase their holdings at a fair valuation or agree to leave matters in dispute to arbitration or agree to any moderate terms. Instead of acceding to these terms Lord Clanricarde is preparing for wholesale evictions."

Father Costello then entered into a narrative of recent events on the property, pointing out the number of evictions and imprisonments. He concluded by saying—

"In view of such facts and complications I request that the Government may send here an impartial Commission to hear both sides and present an accurate Report on the whole case; secondly, that all further action on the part of the Government be meanwhile suspended until the Report shall have been presented. Doing so will certainly avert social disorder, and afford reasonable but necessary protection to a notable section of Her Majesty's subjects against unrelenting extermination."

This letter was a public one, addressed to the Chief Secretary for Ireland in his public capacity. The Chief Secretary for Ireland replied in a private letter. The letter, I am told, rejected the demand of the tenants and abandoned them to the tender mercies of Lord Clanricarde, whom the Government supported in his wholesale evictions with all the forces of the Coercion Act. I submit that we are entitled to have that reply or, at all events, the reasons for the action of the Government. I now come to the correspondence with Bishop Healy with reference to the Portumna district. Bishop Healy is the most conservative of all the Irish prelates on the land question. He holds the Plan of Campaign in holy horror, and he has done his utmost to prevent the Portumna tenants from throwing in their lot with the Woodford tenants. He has, however, the strongest possible opinion that Lord Clanricarde's conduct to his tenants has been unjust and cruel, and he has espoused the cause of the tenants with the utmost warmth. He has corresponded at length with Lord Clanricarde, but without obtaining any result. He has also corresponded with the Chief Secretary for Ireland, and I cannot doubt that it has been owing to his remonstrances and entreaties that till quite lately the Government did not support evictions on this part of the property. Time after time Lord Clanricarde has been in a position to evict on a large scale on this part of his property, and has made all his preparations; but time after time, at the last moment, on one excuse or other, the forces of the Crown have not been lent by the Government, and I believe that there is little doubt that this was due to Bishop Healy's exertions. I make no complaint on this score against the action of the

Chief Secretary. On the contrary, I applaud it; but I want to know why this policy has now been reversed, or why the evictions have now been supported. I have the authority of Bishop Healy for saying that his letters were of a public character, intended for publication, and I cannot think that the Chief Secretary should shelter himself under the plea that his replies were marked private. I have not seen the letters of the Bishop: but the tenour of them may be gathered from an address which the Bishop made to the Portumna tenants some few weeks ago, when evictions were imminent, under solemn circumstances, in the Portumna Parish Church, in which he reviewed the whole position, and stated the part he had taken. I wish that I could read the whole of that address. It would convert the most stony-hearted to a view of the injustice of the proceedings of Lord Clanricarde. The Bishop said—

"The question is whether you are to become landless or not. It is, in fact, a question of life or death to you."

The Bishop then entered into a history of the dispute. He showed how the rents had been raised in consequence of the tenants having voted contrary to the directions of Lord Clanricarde in the celebrated Galway election. He showed how, at the commencement of the dispute in 1885, he had personally urged on Lord Clanricarde's agent an abatement of rent on the ground that the tenants could not pay full rent. He showed that the agent had suggested a memorial to Lord Clanricarde; and that the memorial, signed by himself and by the Protestant rector, asked for an abatement of 25 per cent. He showed also that no answer was ever sent to this memorial, and that Mr. Joyce, the agent, was dismissed for advising abatements, and that evictions were then carried out. The Bishop then proceeds—

"Just 12 months later, in October, 1886, Messrs. O'Brien and Dillon came down and launched against Lord Clanricarde the Plan of Campaign. I had no great reason to like Lord Clanricarde. He treated me as no gentleman ever treated a Bishop. But, on the other hand, you know, for reasons it is unnecessary now to explain, I kept aloof from the Plan, and, to put it in the mildest form, I did not like it. Besides, I denounced the excesses of boycotting on more than one occasion, and every official of the Government knows well that I earnestly and constantly counselled you against outrage and exhorted you to patience and charity. . . . Then when last year Mr. Shaw Lefevre went to Loughrea I advised you to follow his counsel as that of one of our own friends, to follow his counsel, and to meet Lord Clanricarde, so to speak, half-way, and secure you the sympathy of all honest men."

He then detailed the course of negotiations with Lord Clanricarde, and that with the consent of the tenants he had made a most reasonable offer, and that after three months' silence Lord Clanricarde replied with an alternative which could not be entertained. The Bishop concluded by urging the tenants to—

"Go out if you are so minded; but go out without violence to the officers of the law."

Owing, I believe, to the exertions of the Bishop with the Chief Secretary the evictions were further postponed; but lately Lord Clanricarde has again found himself in a position to resume them. Just before the evil day another exertion was made to avoid them. Father Pelly, the administrator of the parish, by the desire of the Bishop, called the Portumna tenants together, and they made another offer to Lord Clanricarde. They would pay at once a year's rent with the abatement of 20 per cent, and would pay the arrears, subject to some abatement, if time were given, and if the tenants already evicted were reinstated and costs foregone. This offer was peremptorily rejected by Mr. Tener, and the evictions already described were carried out a few days ago. The tenants followed the advice of the Bishop. They offered only a passive resistance; they opposed no force to the Sheriff; they submitted to eviction quietly; and they have joined the ever-increasing band of evicted men. Now, I submit upon this statement that the tenants have made every exertion for a reasonable settlement of the case. The question is, which of the parties was in the wrong when the dispute arose? It is now certain that if Lord Clanricarde had made a reasonable abatement at the commencement such as has now at length been wrung from him, there would have been no dispute, no evictions, and no convictions and imprisonments. It is equally certain that for two years after the commencement of the dispute Lord Clanricarde made no offer which could be expected to be accepted by the tenants. I think it is equally clear that Lord Clan-

ricarde is unwilling now to effect a settlement, through a vindictive feeling and a desire to punish his tenants for their present and past action to him. Bishop Healy, in one of his letters on the subject, stated that Lord Clanricarde had publicly, in writing, stated that he had inherited from his father a vindictive feeling against his tenants. Lord Clanricarde wrote to the *Times* denying, in the most absolute terms, the statement of Bishop Healy, and saying that he had never written any such letter. With some trouble I have been able to find the letter referred to by Bishop Healy, which I think hon. Members will say is one of the most extraordinary ever written by a landlord—one which sheds a most lurid light upon all Lord Clanricarde's proceedings, and fully justifies Bishop Healy's remarks. Some tenants from Woodford had written to the *Freeman's Journal* in 1879—that year of terrible agricultural distress to every lessee of Lord Clanricarde—for not making abatements of rent, and making a comparison between his conduct and that of his father. Lord Clanricarde replied in these terms—a letter, it will be recollected, written eight years after he had come into possession of the estate—

"Sir,—I have been informed that within the last week you have published a letter dated Loughrea, in which the writer, with indifferent success, attempts the easy task of drawing a comparison between my conduct and that of the late Lord Clanricarde towards the people of my Irish property. It is perfectly true my father devoted many years of his life to the interests of those on his property in Galway, but he was so deeply wounded by their ingratitude that in one of his last letters he not only strongly expressed his bitter disappointment and mortification, but even begged that I would remember it against them, the only instance of vindictiveness on his part I can remember; and I further gathered his opinion (which I share in) to have been that the people in question are incapable of gratitude and impossible to satisfy. Is it reasonable to expect that I, discouraged by the evil for good my father met with from his tenants, should care to tread in his footsteps.

"Your obedient Servant,

"CLANRICARDE."

The ingratitude complained of was, I believe, that the tenants of this property refused to vote at Lord Clanricarde's dictation in the Election of 1871, when Colonel Nolan was returned. This letter, I believe, gives the clue to the present Lord's action. He is not influenced by the ordinary feelings between landlords and tenants, nor even by the enlightened view of his own interests; he has all along been actuated by vindictive feelings, which he admits he inherits from his father; and having the tenants in his power, and supported by the Coercion Act, he is prepared to clear the estate and to depopulate the district unless the tenants will bend to him and abandon those who have already been unjustly evicted. Now I ask the Chief Secretary, under all the circumstances I have detailed, is he prepared to support this man in his vindictive action in clearing his estate? I cannot believe it. No greater crime, in my opinion, could be committed. What, then, is to be done? I could suggest many courses if there be a desire; but for the moment I believe the best and wisest course would be to follow the moderate and prudent suggestion of Father Costello, to appoint an impartial Commission to investigate the causes of the dispute, and meanwhile to suspend lending the forces of the Crown to evict. Before such a Commission I will undertake to prove every word that I have written and said on this case; and I shall be very much surprised if the appointment of it will not be an inducement to Lord Clanricarde to come to terms. I have, in conclusion, to apologise to the House for having detained them with this story at this period. I have returned to the House at great personal inconvenience, and in spite of the fact that I am paired for the remainder of the Session and cannot vote. I have done so because I have felt it a public duty to make an effort—it may be a last effort—on behalf of a people whom I believe to be cruelly used, and against a policy of extermination which Lord Clanricarde, supported by the forces of the Crown, appears to be bent on.

MR. A. J. BALFOUR: It is due to the right hon. Gentleman that I should at once reply to him, though I confess it taxes my ingenuity to find out what connection there is between the indictment of the right hon. Gentleman and the Vote for the Salaries and Expenses of the Offices of the Chief Secretary for Ireland. The right hon. Gentleman has attacked the action of the Government with respect to the enforcement of certain debts which he regards as being harshly

exacted by the creditor. What would be the condition of this House if the Home Secretary in reference to England had to answer, not merely for the legal justification of any action of the forces of the Crown in enforcing debts, but for the moral character of the creditor and the general conditions under which that debt was enforced?

MR. SHAW LEFEVRE: Perhaps the right hon. Gentleman may not have heard my opening sentences. If he had he would have seen the connection. I referred to the correspondence between Father Costello and Bishop Healy and the right hon. Gentleman. On this subject I, on a previous occasion, asked the right hon. Gentleman some questions.

MR. A. J. BALFOUR: I heard that reference, but I ask the Committee what difference does it make? Suppose, in the case I am putting, a friend of the debtor wrote a letter to the Home Secretary, would that bring the matter under the purview of the House of Commons? Lord Clanricarde may be as wicked as the right hon. Gentleman has painted him; but if Lord Clanricarde's conscience were loaded with every sin which the imagination of casuists has been able to conceive, is that a reason for not voting the salary of the Chief Secretary? I confess my utter inability to perceive the connection between Lord Clanricarde's moral guilt and the right the holder of the office I occupy has to receive the remuneration attached to the post. It is not my business to defend Lord Clanricarde, and I do not mean to defend him—it is quite outside my business; but granted he managed his estate not merely badly but unjustly, I do not see why I am expected to give any answer on the subject at all. The right hon. Gentleman thinks he has connected his indictment with the Vote because he has been able to state that the Rev. Father Costello and the Bishop Coadjutor had correspondence with me on the subject. It appears to be thought that, because these two rev. gentlemen have written to me, therefore my reply ought to be made public; but that is an unreasonable contention. If I had supposed that view would have been taken I should merely have sent them an official acknowledgment of the receipt of their letters, according to the well-understood rule, and there would have been an end of the matter. But I have great regard for both those rev. gentlemen to whom the right hon. Gentleman has referred. I believe that both have at heart the good of the tenantry among whom they are placed, and that they were animated by a sincere desire to end this unhappy quarrel, and therefore I was most unwilling to send them a dry official acknowledgment, which the right hon. Gentleman thinks is the sort of answer I ought to have given. I sent them both private letters——

MR. SEXTON (Belfast, W.): The reason why the correspondence is asked for is that the evictions were delayed for a considerable time, and it is believed the correspondence will disclose the reasons why the evictions were delayed, and why those reasons ceased to operate.

MR. A. J. BALFOUR: Oh, Sir, if that is the reason, I can afford the right hon. Gentleman immediate comfort, because on that particular point the correspondence would not afford any information. It was suggested in the letter from Father Costello, which I have not by me at the moment to quote from, that a Commission should be sent down to inquire into the relations between the landlord and the tenants on the Clanricarde estate, and that until that Commission had reported the Crown should refuse the aid of its forces in protecting the sheriff's officer. There is one objection to that course which is conclusive, and that is that it would be absolutely illegal. A Commission, unless appointed by an Act of Parliament, cannot take evidence on oath compulsorily, and it would have no more machinery for arriving at the truth than any policeman who might happen to be on the spot. Could we delay the ordinary legal process until the Commission reported? The right hon. Gentleman must be aware that we should be going far beyond our duties if we were to take any such course. Conceive the Home Secretary in England arriving at the conclusion that any particular creditor was acting, not illegally, but harshly in the exaction of a particular debt; conceive him announcing that he proposed to appoint a Commission to inquire into the conditions under which the debt was contracted and the payment of it was asked; con-

ceive him adding that until he was satisfied by the Report of the Commission that the debt was a just one, on the broad principle of equity, that he would absolutely decline to allow the forces of the Crown to be used in order to obtain for the creditor his legal right——

MR. SHAW LEFEVRE: A main part of my case was that for four years the right hon. Gentleman had practically suspended evictions, and denied the use of the forces of the Crown on the Portumna estate.

MR. A. J. BALFOUR: It appears to be becoming a rule that I am to be interrupted more than any other Member. Could not the right hon. Gentleman wait until I had finished my argument? His interruption is absolutely irrelevant—foolishly irrelevant. I have stated an English parallel to the course I was asked to take; and the mere statement of it ought to convince every Member of the Committee that the course suggested, with the best of motives on the part of Father Costello, was a course the Government could not adopt. I believe there are not two members of the Irish clergy more anxious than are Bishop Healy and Father Costello to see, not only the law maintained, but these unhappy disputes settled; I believe they have done a great deal of good where they could exercise their influence, and I only wish they had imitators in every part of Ireland; and if these two gentlemen took, as I think they did, too favourable a view of the action of the tenants I would be the last to blame them for it. They rightly regard it as their business to do everything they can for their flock. Although I think that, if the Commission desired by the right hon. Gentleman reported on all the facts of the case, the result would be that blame would be thrown, not entirely on Lord Clanricarde, but that some share of it would fall upon the tenants, still I am not prepared to criticise these rev. gentlemen because they threw in their lot chiefly with the tenants. It is stated that for four years, by one expedient or another, I have prevented the forces of the Crown sometimes from being used to enforce evictions. Personally, I have not been in my present office for four years; and, speaking for my own tenure of office alone, I entirely deny that the Government have refused to sheriffs' officers the support which they have a right to demand in the Portumna district. Of course, in cases in which disturbances are anticipated, time must be allowed for inquiry and for concentrating the forces of the Crown. In cases in which sufficient notice has not been given and in which hardship would be inflicted on the troops and the police by concentrating them hastily, the Government have the right to tell the persons locally concerned that protection could not be given at the particular moment it was desired. Some discretion has always been left to the Executive Government in these cases. The right hon. Gentleman is entirely in error if he supposes that the Government have acted upon or have laid down any such indefensible proposition as that they have the right, if they happen to think any particular creditor, be he a landlord or any one else, is exacting a debt in a harsh manner, to prevent him exacting it, if it is a legal one, by refusing him or the sheriffs' officers who are carrying out the duties imposed upon them by a Court of Law the protection they have a right to require. I have said it is not my business to defend Lord Clanricarde or any other creditor in this country. I do not believe Lord Clanricarde is worse than many a creditor in this country. No doubt a man in Lord Clanricarde's position, the head of a great family in the county in which his property is situated, has duties that are not enforceable by law, but duties which would naturally be discharged by any man who fully accepted the responsibilities of his position, and which cannot be expected of every creditor in this country or in Ireland; that I will grant. Supposing Lord Clanricarde has not acted in a manner in which we had a right to hope he would act, is that a reason for not enforcing the law? Supposing Lord Clanricarde has acted as hundreds and thousands of creditors in London act every day of the week, is that a reason for refusing to him the protection that is given every day in London? It may or may not be a sufficient justification for visiting Lord Clanricarde with punishment by the pressure which I hope public opinion will always exercise through public-spirited members of the community; but it is not my business, it cannot be the business of any man

connected with the responsible government of either England or Ireland, to enforce, by a violation of the actual law, his particular view, not of the legal, but of the higher moral obligation of individuals; and until it can be shown that the Government should undertake in Ireland a new and modern duty which no Executive has ever undertaken, either in England or in any civilised country, I maintain that no legitimate criticism can be passed upon the action of the Government with regard to the Clanricarde estates.

MR. H. J. WILSON (York, W.R., Holmfirth): I do not rise for the purpose of following the Chief Secretary in the remarks he has just addressed to the House; no doubt they will be dealt with by those competent to deal with the matter. But, in reference to his English parallel, I cannot refrain from saying that when England is covered by a centralised police employed in extracting unjust rents for cruel landlords under the direction of Resident Magistrates in direct communication with the Home Office, then it will be time to discuss the parallel the right hon. Gentleman has suggested between England and Ireland. One of the principal duties of the Chief Secretary is to answer the complaints of the Irish Members, too often well founded, with regard to what, in many instances, appear to us on this side of the House to be harsh and illegal conduct on the part of the Irish police. Why should we not know the code of regulations which govern the conduct of the Irish police? If there is nothing illegal in the code, what object can there be in concealing the instructions? If it contains anything that is illegal, it is all the more necessary that the House should be in possession of the facts. If we had this knowledge, I certainly think it might tend to prevent many of those questions now addressed to the Chief Secretary, and we could ascertain for ourselves whether in any given instance the police acted according to rule, or whether they acted according to their own ideas. So far as I can ascertain, this secrecy about regulations does not exist elsewhere. In regard to the Naval and Military Services, the regulations are most voluminously laid down in the Queen's Regulations and other documents that govern the Services and are open to all. With the exception of the case of the Metropolitan Police, which is also a centralised body, there is practically no secrecy kept up in connection with police regulations in this country, and I have the testimony of Chief Constables in many parts of England that there is no secrecy about the Police regulations. In many cases the actual rules and Code have been forwarded in response to my inquiry. From the ex-chairman of the Birmingham Watch Committee I have the information that there is nothing secret about the rules for the Birmingham Police, and he says he does not see how there can be any advantage in secrecy; and from Oxford, Scarborough, and other places, I have similar answers to my inquiries. At Scarborough even the Minute Book of the Watch Committee can be inspected by the public. The Chief Constable at Liverpool informs me that there is no secrecy about the Liverpool Police Code, and that any citizen can obtain a copy of it. This gentleman tells me he was formerly in the Royal Irish Constabulary, and he says he could never understand why there should be any secrecy about the Irish Code. He mentions, also, that on one occasion a friend of his wanted a copy of the Code for guidance in reference to a Police Force at the Cape, but he was informed, in reply to his request for a copy, that he must make his application through the Cape Government. Before this formal action could be taken the need for the Code had passed away. What can be the reason for all this pretended secrecy? I say pretended because, as a matter of fact, it is always possible to get a copy of the Code if you will only take the trouble. I am sorry the Chief Secretary has gone away; there is another question I have to ask him in reference to the now famous battering ram. I take an interest in the machine, for I believe I was the first to make its acquaintance. I came across it by chance at Letterkenny Railway Station, and by inquiry obtained many particulars about it. We were also able to obtain some information about it by questions here in the House.

THE CHAIRMAN: The question cannot be raised under this Vote. If it is an instrument used by the police, then it should be discussed under the Police Vote.

MR. H. J. WILSON: I bow to your ruling, Sir, my reference was only to answers I was about to quote, given by the Chief Secretary on this subject in answer to the right hon. Gentleman the Member for Newcastle.

THE CHAIRMAN: That in no way alters the view I take, that the subject cannot be discussed under this Vote.

MR. H. J. WILSON: Then I pass from that subject to ask the right hon. Gentleman who is now in his place some questions in relation to the system adopted in Ireland of watching the movements of English Members of Parliament who visit that country. At various times, in answer to questions, the right hon. Gentleman has given various rulings on this subject, and I should like to know the rules under which the police act, for we have heard sometimes that Members have been followed because they were known sympathisers with the Nationalist Party, and at other times we have been told that Members were viewed with suspicion because they were not known to the police. We have also good cause to complain of the inaccuracy of the information which the right hon. Gentleman the Chief Secretary gives us in this House. The right hon. Gentleman seems to believe in the infallibility of his informants; he may hear the statements of hon. Members on this side of the House, but if these statements are contradicted by any of his subordinates the right hon. Gentleman at once accepts those contradictions as correct.

MR. A. J. BALFOUR: I shall be always ready to accept proof of any error.

MR. H. J. WILSON: This false information must be supplied by somebody. I do not attribute his replies to his imagination. The right hon. Gentleman ought to afford us means of tracing to its source the grossly inaccurate information which he offers to the House. In the case of Mitchelstown the Chief Secretary has been obliged to admit his error; but he has not informed the country of the source of that error. Yet the right hon. Gentleman will not afford opportunity for checking his statements.

MR. A. J. BALFOUR: I said I should be delighted to receive any proof that the statements made were erroneous.

MR. H. J. WILSON: I do not know that the right hon. Gentleman has made the matter much clearer. In conclusion, I desire to protest against the abominable system by which Ireland is governed, and which necessitates the perpetration of all kinds of iniquity by the subordinates of the right hon. Gentleman.

MR. MAC NEILL: I must say I could not see the analogy the right hon. Gentleman attempted to draw between his own position and that of the Home Secretary in England. The Home Secretary governs on Constitutional principles and is amenable to public opinion. The right hon. Gentleman governs Ireland in defiance of the wishes of its representatives and in defiance of every Constitutional principle. The Chief Secretary is simply the governor of Ireland and the real head of all Departments, though of some he is not the nominal head. The Irish Secretary is as despotic in Ireland as the Czar in Russia. To-night the right hon. Gentleman assumed something of his earlier manner, of the acidulated virtuous manner when he said that he would not interfere with the course of justice. The present Secretary shows a very different spirit from his predecessor, the President of the Board of Trade, who displayed a more benevolent and humane spirit than the present Chief Secretary with respect to the Clanricarde estate. I bring this charge against the present Administration, that the Crimes Act is being administered by agents of the right hon. Gentleman, not for the purpose of prosecuting crime, but as a means of destroying political opponents for partisan, selfish, and personal ends. I will divide the administration of that Act under three heads.

THE CHAIRMAN: I am afraid it does not come under the head of this Vote.

MR. MAC NEILL: As it is under the direction of the right hon. Gentleman that prosecutions have been instituted, may I not refer to the circumstances?

THE CHAIRMAN: Not under this Vote.

MR. MAC NEILL: The position of the right hon. Gentleman is so complex that I feel some difficulty in keeping within the limits of a Vote. But I think I may be allowed to say that I have always thought it an axiom of

criminal justice that the punishment should quickly follow the crime. But that is not the rule followed by the right hon. Gentleman. The punishment under the Crimes Act is sometimes suspended for four or five months, and it was so in the case of my hon. Friend the Member for N. E. Cork. My hon. Friend delivered a speech at Ballyneale on September 30; but not until four months afterwards was he prosecuted for that speech. He was not prosecuted until late in January, and meantime he had given evidence before the Special Commission.

THE CHAIRMAN: The hon. Member does not appear to appreciate what I have said. Prosecutions under the Crimes Act no doubt constitute a branch of Irish Administration. No doubt many branches of Administration are under the Chief Secretary, but there are certain Departments charged with certain duties, and the performance of those duties ought to be discussed on the Votes for those Departments.

MR. MAC NEILL: It is difficult to obey your ruling, Sir. The matter is very complicated, and the Departments of the Irish Government are very closely interlocked with each other. The Chief Secretary is really the ruler of them all.

THE CHAIRMAN: Although the Chancellor of the Exchequer might be the head of the Customs Department and the Post Office, it would not be open to an hon. Member to discuss the Customs or Post Office on the Vote for the Salary of the Chancellor of the Exchequer.

MR. MAC NEILL: Then, Sir, I will pass away from that question. My speech has been very much cut down by your ruling, and I suppose I must only take the Chief Secretary in his general aspect. I may say that I believe him to be a very high minded Minister; but at the same time he has the unfortunate knack of attracting to himself the most low-minded agents; and month after month he is answering questions simply as the conduit pipe of his informers at Dublin Castle. He states things which he believes to be true, and his faith is great; but we know them to be false. When there is a distinct contradiction between his statements and those of the Irish Members we ought to know the sources of his official information, so that we may be able to trace the persons from whom he derives his tainted knowledge. I must say this—that the most obnoxious of the Irish Magistrates are those whom the right hon. Gentleman seems most readily to single out for advancement. The right. hon. Gentleman at first said that Donegal was in a state of revolution, but he afterwards stated that the revolution was confined to a single barony; but, at any rate, whatever Donegal is now, it was quiet before the right hon. Gentleman came into office, and its disturbed condition, since then, may be regarded as a curious coincidence. But if the police had to be in occupation of that district, how does it happen that the hon. Gentleman the Member for South Tyrone (Mr. T. W. Russell) can go from one end of Donegal to the other without police protection? The people of Donegal are not fools. They know who the hon. Gentleman is; he could not disguise himself there, and they well know what he is doing. This fact proves how utterly fallacious is the information of the right hon. Gentleman, at any rate, with regard to the state of Donegal. In conclusion, I have only to say I am sorry I have been obliged to curtail my speech, but it may be that I shall hereafter come out with a new and revised edition of it.

MR. GILL: I suppose that, under this Vote, I shall be entitled to refer to the general administration of the right hon. Gentleman the Chief Secretary in Ireland and his conduct in this House. We have now had the benefit of the right hon. Gentleman's supervision of Irish affairs for nearly three years. He began those three years by setting before himself several very portentous tasks, and at the close of that period we find that he has not succeeded in accomplishing a single one. He set out armed with the Coercion Act—the most formidable Act ever passed by the British Parliament for the oppression of the Irish people. He set out intending to crush the organisation which the Irish people had formed for their protection against rack rents and unjust landlords, and against the policy of extermination which the landlords had been pursuing, and having sought, by imprisoning the Irish Members, to degrade them to the position of criminals in the eyes of the British people, he has, nevertheless,

failed to carry out his original intention. He also set out to crush the Plan of Campaign, but in this, as in every one of his projects, the right hon. Gentleman has miserably failed. He says, on English platforms, that he has restored to Ireland peace, liberty, and prosperity; but what is the fact? Throughout the greater part of Ireland at this moment the right hon. Gentleman dare not allow a public meeting to be held at which his policy would be criticised. He stifles the voice of the Irish people by his battalions of soldiers and police. If he has restored peace and order in Ireland, why is it that if we wish to address our constituents we are obliged to employ strategy? As it is, none of us can go to any part of the South of Ireland to address a meeting without risking the lives of the people to whom we desire to speak. All the elements which constitute a healthy public life are suspended in Ireland. If you go to any typical town like Tralee, Cork, or Killarney, you will find a state of things which can only be paralleled in those places that are under the rule of the Czar of Russia or the Sultan of Turkey. We cannot call a meeting but the police rush forth with their bayonets and batons and smash the heads of the people, whom they disperse in all directions, afterwards preparing prosecutions against any public man who happens to have made a speech. No one who has anything to do with public affairs can travel about the country without being followed by policemen, who mount guard over every house he enters, and no newspaper can publish reports of public meetings without the publisher being subjected to prosecution, several Members of this House having been imprisoned simply for reporting in their papers speeches delivered at public meetings. The right hon. Gentleman has only succeeded in holding down the great bulk of the Irish people under the grip of an iron coercion by means of a police force and a military force more numerous and more powerful than that which is required in any other portion of the British dominions, and the moment the right hon. Gentleman relaxes that iron grip, all the elements which he boasts he has suppressed will spring up again in full strength. The truth is that the right hon. Gentleman's administration of the affairs of Ireland has been a miserable and a contemptible failure from beginning to the end. With regard to the Vandeleur estate the hon. Member for South Tyrone wrote a letter to the *Times*, in which he practically said that Captain Vandeleur was a fool for submitting to the demands of the tenants, and yet he has had the face to get up in this House, trusting to their forgetfulness of the facts of the case, and pretending that he did his best to induce the parties to bring about the settlement. That settlement was arrived at in spite of the hon. Gentleman, and in spite of the Chief Secretary for Ireland, and all the forces at the back of the Executive. The audacity of the hon. Gentleman is only paralleled——

THE CHAIRMAN: Order, order! Will the hon. Gentleman come to the point?

MR. GILL: The Chief Secretary for Ireland has done his best to prevent the settlement on the Vandeleur estate. Private individuals, however, have managed to bring the dispute to a satisfactory close. The Very Rev. Dr. Dinan and several priests helped to bring about the settlement, and they were described in a letter by the right hon. Gentleman's chief agent (Colonel Turner) as "Old Dinan and his villainous priests." The Chief Secretary for Ireland has not dared to repudiate that language.

MR. A. J. BALFOUR: I knew nothing about the letter.

MR. GILL: The fact that the right hon. Gentleman has not heard of the letter makes his own attack on the priests of Clare more wanton and uncalled for. I brought Colonel Turner's letter to the notice of the Chief Secretary for Ireland a night or two ago, and the right hon. Gentleman did not repudiate the language it contained, nor did he say it was reprehensible. On the contrary, he adopted the spirit of the language by saying that there were priests in Clare who were unworthy of their cloth. I say that to plain men this means that he justifies and adopts the language of Colonel Turner. The conduct of the right hon. Gentleman in this matter is certainly not wise, looking at the way in which the Irish people venerate the clergy of their Church; and it is conduct of which he has every reason to be ashamed, and for which, if he has the spirit of a man, he would get up and apologise. Advan-

tage ought not to be taken of a seat in this House for the purpose of levelling gratuitous insults at anybody. I challenge the right hon. Gentleman in justice to these gentlemen whom he has traduced, and in justice to this House, which ought not to be made the vehicle for gratuitous insults—I challenge him to name the priests to whom he intended to refer. Hon. Gentlemen opposite cheered when I said that this House should not be made the vehicle for gratuitous insults. I beg to inform them that I do not use language against any man in this House which I would not use outside, and I venture to assert that unless the right hon. Gentleman names these priests he is guilty of conduct which I do not care to describe. I ask him not to despise or sneer at these imputations against him in regard to the manner in which he discharges his duties as Chief Secretary, and as the representative of the Government of a great empire. He has described some of the priests of Clare as men unworthy of the cloth they wear; and I again appeal to him not to lightly pass over this matter, for if he does I am sure that this assembly, which still possesses the instincts of honour which has been one of its noblest traditions, will view his conduct in the light which it deserves. The right hon. Gentleman has thrown himself against the Plan of Campaign, but he has failed to break it down. He has interfered to prevent settlements, yet private individuals have carried out settlements between landlord and tenant, despite his efforts. I should like for a few minutes to refer to the case of Lord Clanricarde, which has been so ably dealt with by the right hon. Gentleman the Member for Bradford this evening. The whole gist of the answer of the Chief Secretary to the right hon. Gentleman's charge was that he had had nothing to do with this case; that it was simply a matter between a creditor and his debtors, and that, consequently, he did not concern himself with it. But may I point out that that is not the view which his predecessor in the Irish Administration—the right hon. Baronet the Member for Bristol—took. When the right hon. Baronet was in office he also had to deal with Lord Clanricarde, and in what manner did he deal with this very difficult question? He found that Lord Clanricarde was described by the highest Court in Ireland as a person whose name had become notoriously disgraceful throughout the Empire, and whose conduct towards his tenants could not be justified under any circumstances. He found, in fact, that justice was on the side of the tenant, and that injustice, cruelty, and oppression were ranged on the side of Lord Clanricarde. Lord Clanricarde, at that time, appealed to the Government for help in carrying out his policy of extermination and vengeance, and the right hon. Baronet, who was then Chief Secretary, did not hesitate to enter into a correspondence which was made public, and which in fact came out in the course of the trial of the libel action brought by Mr. Joyce (Lord Clanricarde's agent) against Lord Clanricarde. From that correspondence we find that the right hon. Baronet summoned Mr. Joyce to his presence, and informed him that he could not lend him the forces of the Crown to assist in the evictions, unless the claims of the tenants got a better hearing at the hands of Lord Clanricarde. Lord Clanricarde thereupon wrote to the right hon. Baronet in his usual style, abusing him for the attitude which he, as a member of the Executive, had taken up, and the right hon. Baronet, in reply, justified his action, and again refused to lend Lord Clanricarde the forces of the Crown, or in any way to facilitate the carrying out the process of the law against the tenants under the circumstances which then existed. Therefore it will be seen that the right hon. Baronet did not plead that he had no concern in this matter as the present Chief Secretary has asserted. The right hon. Baronet found it was essential, in the interests of peace and order, that Lord Clanricarde should not be backed up by the Government in his proceedings against his tenants, and consequently in an hour of mistaken zeal he did his best to exercise what he himself described as "pressure within the law." The attempt, unfortunately, proved a miserable failure. Indeed, it was one of many miserable failures which have characterised the present Irish Administration. The right hon. Baronet having failed in his exercise of "pressure within the law," the tenants were compelled to meet the exigencies of the case by establishing an organisation of their own,

and this organisation, which I contend was absolutely necessary and laudable under the circumstances, the right hon. Gentleman the present Chief Secretary has done his best to crush. I declare that the Administration of the right hon. Gentleman has been a failure from first to last. I declare that in his administration of the prisons, and in his action towards public meetings, as well as in his attitude towards the Plan of Campaign, and the position which he has taken up in regard to recalcitrant landlords he has failed in every respect, and he has simply led the Government on from one disgraceful failure to another. At the present moment after all his efforts to break down and crush the Irish people, we know that combinations against the landlords have succeeded. Over and over again in this House attention has been called to the action of the right hon. Gentleman in connection with the proceedings of the hon. Member for Huntingdonshire and his syndicate in the South of Ireland. I do not think it is necessary to refresh the memories of the Committee on this subject. We have too recently seen the right hon. Gentleman using the forces of the Crown as well as the eloquence which he undoubtedly possesses in upholding the action of that syndicate against the unfortunate tenantry on the Ponsonby Estate, simply because they had succeeded with the assistance of the Plan of Campaign in holding out against the injustice which was to be perpetrated upon them. We have seen the right hon. Gentleman proceeding against these tenants as an act of vengeance and tyranny, and we have seen him helping this miserable gang of landlords, who have leagued themselves together with objects of vengeance. Can he point to a single feature of his Government which can be described as a genuine success? When he first came into power there did exist in Ireland some measure of public liberty. Members of Parliament, at any rate, were able to visit their constituencies without running the risk of getting the heads of those constituents broken by police batons, or of themselves being arrested and prosecuted. We cannot forget how the Member for North Monaghan was brutally treated by the police on a recent occasion, and yet we know that no steps have been taken to punish the assailants of that hon. Gentleman. Not only have public meetings been suppressed, not only have the people been batoned, but Irishmen have been sent to prison wholesale; and scarcely a week passes but that a Representative from Ireland is either sent to prison or is released from gaol after serving his punishment. Indeed, throughout the length and breadth of Ireland there reigns simply brute tyranny, oppression, and coercion; a condition of things which constitutes the greatest mockery of the name of British liberty.

MR. H. H. FOWLER (Wolverhampton): I very much regret that the consideration of the Irish Estimates should have been delayed till this advanced period of the Session. I do not know who is to blame for it, but I know that it is very much to be deplored that only in the middle of August should we have an opportunity of examining the Irish administration as a whole. Now I am not going to inflict a speech upon this House, but I do wish to enter one or two protests on the subject of Irish administration, not with reference to the right hon. Gentleman personally, but with reference to the policy which he is carrying out and for which he is responsible. The right hon. Gentleman is often attacked with great severity for what is really not his policy but the policy of Parliament. Parliament has resolved that a certain policy shall be carried out in the administration of Ireland, and Parliament has no right, therefore, to find fault with a Minister who is honestly, capably, and courageously carrying out its policy. It is only fair and just to the right hon. Gentleman that I should say that. I may remind hon. Gentlemen of the celebrated repartee of Lord Beaconsfield when a right hon. Gentleman was attacking him on the ground of the illogical nature of the policy of his Government. Lord Beaconsfield told the right hon. Gentleman who complained that he forgot that this country was not governed by logic; it was governed by Parliament. The Chief Secretary does not, however, follow Lord Beaconsfield's precedent; he governs by logic, but he does not govern by Parliament. I have often admired the astuteness with which the Chief Secretary logically defends his position; indeed, he has a logical answer on every point on which he is attacked.

Of course, if human beings were factors in a mathematical problem it would be all very well; but they are not; they are possessed with infirmities and weaknesses, aye, and excellences, which statesmanship must deal with, and, therefore, you cannot govern a great nation logically, as the right hon. Gentleman is now trying to do. The attempt to govern Ireland logically will consequently be a failure. Now, what I want to call the attention of the Chief Secretary to is this—there are three classes of feeling existing at the present time in Ireland for which the Chief Secretary is responsible, and which are among the most deplorable facts of the present situation. The first, which I do not think will be disputed, is that there exists in Ireland a widespread dissatisfaction with the administration of justice. We are so familiar with the fact in this House that familiarity breeds not only contempt, but almost indifference; but outside the House it is plain that we have in Ireland that which exists in no other part of Her Majesty's Empire or indeed in any part of the world. The overwhelming majority of the Irish people and their 86 representatives in the House of Commons, rightly or wrongly, do not believe that justice is fairly and impartially administered. That feeling arises to a great extent from the conduct of the Executive Government. Now, an Executive Government can do many things, it can deprive the people of their political rights, dissociate them from the government of their own affairs, and oppress them with taxation; but in the long run it cannot deprive the people of justice. A man's sense of injustice is his keenest feeling, and this fact will have to be dealt with sooner or later. It will be impossible to go on governing Ireland with four-fifths of the people believing that justice is not fairly administered, and with the Executive Government, under the superintendence of the right hon. Gentleman, sanctioning, supporting, and defending the administration of justice of which the people so keenly and constantly complain. The next sentiment for which the Chief Secretary is responsible is the patent hostility to the administration of the law in every part of Ireland. This antagonism to the administration of the law does not exist in England, because the people are in sympathy with the law, and a different feeling would prevail in Ireland if the Executive Government regarded the people as much as the administrators of the law. It may be asked, how is the Chief Secretary responsible for this? Well, the Chief Secretary is responsible for the antagonistic feeling in Ireland, because he chivalrously regarded it as part of his duty to defend every man who is engaged in the administration of the law. [*Cheers.*] Hon. Members opposite cheer that; but they would not let a Home Secretary act in the same way. They do not look upon him as a Minister to defend the administration of the law, but to protect the liberties of the people and to hold an equal balance. The Chief Secretary ought not to take it for granted that out of 12,000 or 14,000 men engaged in the administration of the law every one is perfectly trustworthy, perfectly wise, and blameless of any irregularity—that they are invariably right and the public are invariably wrong. During the last two years in the House I do not think that I have once heard the Chief Secretary admit that the police are wrong, yet they must be wrong sometimes. Even a Queen's County Grand Jury of Tory landlords at the last Assizes proposed a Presentment censuring the police for their foolish conduct at the time of Father M'Fadden's arrest. I am not taking the events connected with that arrest and with the unfortunate murder which followed otherwise than as an illustration of how a feeling may be created in the minds of the people that whatever is said or done by the police, by the Resident Magistrates, or by the Prisons Board, it will be defended in the House of Commons. I arraign and challenge the policy which the Chief Secretary honourably, courageously, and chivalrously pursues. Every man in this large army engaged in the administration of justice is turned into a combatant in the civil war now going on in Ireland with the people on one side and the police and Executive on the other. The other point for which the Chief Secretary is responsible is that the right hon. Gentleman has sanctioned, and, I fear, upheld, a great amount of official disrespect for Parliamentary government and for the Members of this House. The men who are in command of the

Constabulary and who have the administration of justice in their hands have, I am sorry to say, with the sanction of their official superiors, fallen into the belief that the correct thing for them to do is to show contempt for the House of Commons. If anyone is to be dealt with in Ireland with more contempt than another that man is a Member of Parliament. We are sometimes irritated and annoyed in this House with oppositions and proceedings which we do not like, and there is, perhaps, a great deal to justify our irritation; but it is a great blunder to weaken the respect for Parliamentary institutions in this country, even when it is done by Parliament itself. It is a serious thing when any Department of the Public Service is allowed to do this. Such is not the rule in the English Service—either in the Military or the Naval Service or in the English Constabulary. The rule is for every head of an Administrative Department to insist upon the officers under his control treating the decisions of the House, and the proceedings of the House, and the Members of the House with that respect—official respect, at all events—to which they are entitled, having regard to the place they fill in the Constitution of the Empire. It is dangerous to encourage a want of respect for Parliament and its Members—there is a menace in all these things. In England and Scotland we have been safe, members of the Civil Service caring not who comes or goes. They know that they have done their duty to the Crown and Government, and they say: "We have never mixed ourselves up with political Parties—our destinies will be as safe with one side as with the other." But do you think that if these men became political partisans, that will be their state of mind; and do you think there is no danger of introducing the American system into this country? That, to my mind, is one of the rocks ahead in the administration of Ireland. I would point that out to the Irish Government and to those Civil servants who do not seem to look many days ahead. The Civil servants pursue an unwise policy in bringing themselves into collision with one of the great Parties of this House. I do not wish to protract this Debate, or to introduce anything of a personal element into it, or anything which the right hon. Gentleman the Chief Secretary could regard as reflecting upon himself, but I feel it to be my duty, conscientiously holding the opinions I do, to say that whether you are to have Home Rule there or not, if you are to have contentment and peace and prosperity in Ireland, the people of Ireland must be satisfied that justice is fairly administered. You must have the Irish people satisfied with the administration of the law and supporting it, and not in hostility to it, and you must not allow one branch of the Public Service in Ireland to take part in the great political conflict which is now raging, and to show antagonism to one of the Parties in the State by trenching upon what has been the well-understood rule of the Public Service up to the present time. No doubt the policy of the right hon. Gentleman is sanctioned by the Votes of this House, and represents the views of the constituencies at the last Election; but granting all that, I must say that, armed with this power and with all that moral force at his back, it would have been wiser for himself and better for Ireland if he had taken the policy of that great Irish Secretary, Sir Thomas Drummond, as his model, and regarded every individual citizen and peasant in Ireland as being as much entitled to equal and impartial treatment before the law as any policeman or Resident Magistrate in the country.

*MR. W. A. MACDONALD (Queen's County, Ossory): I cannot help differing from the right hon. Gentleman who has just sat down in the statement he has made that the policy of the Government was authorised at the General Election. Hon. Members opposite, when before the constituencies, declared against coercion; but no sooner had they obtained their majority than they departed from their pledges, and substituted for the policy they had declared one of violence and coercion. But my object in rising is to say a word on behalf of peace and order in Ireland. I desire to ask the Chief Secretary whether on the 23rd of next November, when the celebration of the memory of Allen, Larkin, and O'Brien takes place, he will reverse the policy he has hitherto pursued, and allow the people of Ireland fairly to express their sentiments towards these men. The people of Ireland believe that the men who suffered at Man-

chester in 1867 were brave men, who tried to do their duty to their country; that they were unjustly convicted and unfairly punished. The memory of these men has been cherished with affection, and will continue to be so cherished as long as Irish hearts can beat. For 20 years the memory of these men was celebrated without opposition on the part of the authorities; but the present Chief Secretary, on entering office, changed all that. Although these meetings had been of a peaceful character, he issued proclamations against them. He did so in 1887, in the case of Limerick, where great irritation was caused, and the police exhibited a violence which was denounced even by the correspondent of the *Irish Times*. Last year meetings were proclaimed at New Ross, in the County of Wexford, and at Kilkenny, where, had it not been for the action of the Mayor, bloodshed would have occurred in the streets. A proclamation was also issued at Waterford, and the priests and leading inhabitants of the town assembled in the Town Hall, and advised the people not to give the police an opportunity for another Mitchelstown. A similar proclamation was issued at Cahir, and another in the town of Tralee. In the last-named town Mr. Cecil Roche published a proclamation, every word of which was a stab to the feelings of the people over whom he ruled, because he described Allen, Larkin, and O'Brien as convicts who, in due course of law, had been executed at Manchester for the murder of Sergeant Brett. Now, what I want the Committee to apprehend is that while these meetings I have mentioned were proclaimed, nothing was done to prevent meetings in Dublin, in Thomastown, and in Athlone, and it is, therefore, obvious that the policy of the Executive was not uniform. But there is something still more extraordinary behind. In all these towns where the meetings were prohibited, the people were of one mind; consequently, there would have been no breach of the law; but in the town of Dungannon, in loyal Ulster, where there is a large Orange population, the meetings were permitted, and a torchlight procession actually took place. Why was the meeting permitted there? What was the object of the Chief Secretary in permitting the torchlight procession to take place at Dungannon? Was it to provoke a breach of the peace? I cannot believe that that was the right hon. Gentleman's intention, and I should like him to explain to this House why he allowed that meeting to take place in Dungannon, where disturbances might have arisen, owing to the antagonism which prevails between Nationalists and Orangemen, when he prohibited meetings in the South of Ireland, where no such hostile feeling does exist. I do not want to appeal to the humanity of the right hon. Gentleman, I think it would be a waste of words to do that after all he has done in Ireland, and after the small amount of sympathy which he has shown for my hon. Friend (Mr. Patrick O'Brien), who was most cruelly batoned by the police the other day. I repeat that I do not appeal to the humanity of the right hon. Gentleman, but I do appeal to his feelings and ideas as a philosopher. Before the right hon. Gentleman became a distinguished statesman he was not undistinguished as a thinker and as a writer, and there is one doctrine which he has laid down in this House which seems to speak of his better days, and to point to the time when he considered carefully what were the rights of his fellow-men. The doctrine to which I refer was his declaration in this House that there was no man in the House of Commons who more carefully regarded or more respected the expression of the opinion of others than he did. Now, Sir, I say that the action of the Irish people in celebrating the death of these men by processions, and by holding meetings, is simply an expression of opinion, and there is no excuse whatever for interference on the part of the Crown. Twenty years have elapsed since these men were executed at Manchester. In that period a great change of public opinion has occurred; therefore, if the Chief Secretary really cares for freedom of speech, and for freedom of opinion in Ireland, he will allow these peaceable processions and peaceable meetings to take place in November next. He will know that they are merely an expression of opinion on the part of the Irish people. Does he suppose that by suppressing these gatherings he will change the belief of the people that the men executed were martyrs into the directly opposite belief that they

were convicts deserving the punishment that they received? If he thinks that, he must be strangely ignorant of the feelings of Irishmen. Now, I would ask the right hon. Gentleman to say plainly does he intend to proclaim these meetings next November, and does he desire to exasperate the people by preventing their taking place? There are a large number of Englishmen who have come to look upon these executions in a very different way from that in which they regarded them during a time of panic; and I have no doubt whatever that the time will come when the historians of the future, whether they be English or Irish, will see that it was a generous and self-sacrificing act on the part of these men which led them to their fate. And the right hon. Gentleman might as well try to turn the sun from its course as seek to reverse the verdict of history which is being formed before his eyes.

MR. ARTHUR O'CONNOR (Donegal, E.): I think we may be content to leave all considerations as to the general effect of the right hon. Gentleman's administration in Ireland to the calm, authoritative, and unanswered speech of the right hon. Gentleman the Member for Wolverhampton. Everything he said was unquestionably true, and very little, indeed, can be added to it. I am not surprised that the right hon. Gentleman thought it judicious not to attempt an answer. I desire now to pass away from questions of general policy and to ask a practical question with regard to a particular Department in the office of the Chief Secretary, and with respect to a subject which peculiarly affects some of my own constituents. In the year before last an Act of Parliament was passed, entitled "An Act to amend the Fishery Acts of Ireland," and it provided that where a certain proportion of the fishermen of any particular district petitioned the Inspectors of Fisheries for the prevention of trawling, the Inspectors should be empowered to make bye-laws prohibiting trawling within the limits referred to in the petition, and if they did not grant the prayer of the petitioners within two months, then they were to forward the petition to the Lord Lieutenant stating their reasons for the refusal. The Act further provides that the Lord Lieutenant in Council should have power, on receiving the petition, to direct the prayer of the petitioners to be heard. Now, Sir, under that Act two petitions were presented; one from Galway Bay, and the other from Lough Swilly. The fishermen of Lough Swilly, in their petition, represented that their industry was being ruined by the operation of a very small number of trawlers, and that petition, as well as the petition from Galway Bay, was rejected by the Inspectors of Fisheries. There has for 70 years been free fishing in Lough Swilly. Between 1844 and 1869 trawling in Lough Swilly was prohibited, and during that period the condition of the fishermen there was satisfactory. But since 1869 trawling has been again allowed, and the fishing industry has been seriously injured. Indeed, the injury is so extensive that whereas before trawling was allowed 500 families lived there in comparative comfort now only 300 men are engaged in the industry, and they gain but a very precarious livelihood, while the mischief is done by four trawlers employing only 14 men. The Fishery Commissioners having rejected the petition, it was, in accordance with the Act, sent to the Lord Lieutenant, under whose directions an inquiry was held, and without any assignable reason the petition was rejected by the Privy Council. The unfortunate fishermen taxed themselves to the uttermost to send up members of their body to Dublin to give evidence, and they also went to the expense of feeing counsel. But their counsel was scarcely heard before the Council. Not one of their body was called as a witness, and within four or five minutes the case was disposed of.

It being Midnight, the Chairman left the Chair to make his Report to the House.

Resolutions to be reported to-morrow.

Committee also report Progress.

COURSE OF BUSINESS.

On the Question that Supply be fixed for Wednesday,

MR. H. H. FOWLER: Having observed that there is a general feeling in the House that Supply should be brought to

a close at the end of this week, I would suggest, with a view to facilitating this object, that the Committee should proceed to take non-contentious English Votes for a couple of hours to-morrow evening after half-past 5 o'clock, an arrangement which, I think, may materially help to shorten the Session.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I am much obliged to the right hon. Gentleman for the suggestion, which is an exceedingly reasonable one, and I shall to-morrow propose, therefore, with the concurrence of the House, "that the House do sit after half-past 5 on Wednesday for the consideration of Supply." I understand it will not be agreeable to Irish Members to go on after 5 o'clock with the Irish Votes; but it is exceedingly probable that many English Votes may be disposed of during the two hours and a-half before 8 o'clock. As far as possible these will be non-contentious Votes. I therefore wish to give notice that to-morrow at 12 o'clock I shall move the suspension of the half-past 5 o'clock Rule, so far as Supply is concerned.

MR. DILLWYN (Swansea, Town): While offering no opposition, I hope the proposal will not be regarded as a precedent in the future, and I protest against the Standing Orders being tampered with upon such short notice.

SIR G. CAMPBELL (Kirkcaldy): I would ask the First Lord of the Treasury to tell the House what Supply will be taken, so that hon. Members may have some short time to prepare.

MR. W. H. SMITH: I am sure the hon. Member will be quite prepared with a speech on any Vote we may take.

MR. COSSHAM (Bristol, W.): Does the right hon. Gentleman intend to take the Technical Education Bill on Saturday?

MR. SEXTON: I take it that any Irish Vote that may happen to be under discussion at half-past 5 to-morrow will stand over until Thursday.

MR. W. H. SMITH: The right hon. Member will see that it will be desirable to conclude the discussion of a Vote which may be before the Committee at half-past 5, otherwise it will be necessary to withdraw the Vote. There should be some little elasticity allowed.

MR. SEXTON: If an important Vote should be under discussion at half-past 5, we should prefer to go on with it.

MR. W. H. SMITH: We have every desire to meet the convenience of hon. Members from Ireland, and the business to-morrow can be made a matter of arrangement.

MR. T. M. HEALY: I hope that the rule for the termination of business—or what has come to be considered the rule for the termination of business under the present Government—will not be applied at half-past 5 to-morrow.

Committee to sit again to-morrow.

SUPPLY—REPORT.

Resolutions [17th August] reported.

CIVIL SERVICE ESTIMATES.

CLASS VI.

"That a sum, not exceeding £260,472, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, for Superannuation, Retired, and Compassionate Allowances and Gratuities under sundry Statutes, and for Compassionate Allowances and Gratuities awarded by the Commissioners of Her Majesty's Treasury."

SIR G. CAMPBELL: I desire to ask for an explanation in regard to the enormous number of English prison officials who have retired on the ground of ill-health. The number is put down here at 127 in one year, whilst the corresponding number for Scotland and Ireland is only some half-dozen. It is evident that this enormous number of retirements is not a normal state of things—that there must have been some extraordinary clearance of these officials, and I have a right to ask what that clearance is owing to. We were told yesterday that in every case of retirement these officials are examined by the public Medical Officer, and I want to ask whether a special officer has been sent round to the prisons to weed out these officials, or whether the duty has been left to the local gaol Medical Officers? [*Cries of* "Divide!"] This is a most important matter. Here we have 127 pensions, and I want to know what are the grounds on which we are asked to pay them? [*Cries of* "Divide!"] I have a right to go into this matter on behalf

of the taxpayers of the country. I desire to know whether the Government took measures to ascertain whether or not these people were entitled to retire?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I think I shall be able to satisfy even the critical requirements of the hon. Member. I think that if I can show the hon. Member that these retirements—leaving out the question of cause for the moment—are retirements which actually affect a reduction in the total before us, the hon. Member will admit that we are better off paying the pensions than paying the full salaries. If these retirements had been made on account of abolition of office we should have had to pay higher pensions. As a matter of fact, the phrase "ill-health" in connection with prison warders is different from what it would mean in the case of other Government servants. In the first place, a prison warder has to be in very full physical vigour; he has to take charge of men not always of the most orderly or ruly character; and it is perfectly within the proper meaning of ill-health when the doctor certifies that the warder's physical vigour and capacity are not equal to the arduous duties he has to discharge. I explained on a previous occasion that the length of service mentioned in the Estimates only refers to the time served under Government after the taking over of the prisons. The hon. Member will find that the number of warders and other officials of corresponding rank in Class 1 is 208 as against 343 last year, so that there is a total reduction of 35, while there is a reduction in the total strength from 1,333 last year to 1,225 this year, or a reduction of 108 men. The total number retired in the year 1888-89 was 130. The staff of the prisons in the United Kingdom represent about 2,500 men, and I believe that this is not much in excess of the average retirement. Last year it was 110. Be that as it may, these men have all been certified by medical men belonging to the State as being eligible for retirement under the ill-health clause. I believe that they have been properly retired, and I think that as their places have not been filled up the Committee has no reason to complain.

MR. T. M. HEALY: We know these men have important duties to discharge, and that it is essential that they should be maintained in a perfect state of health and physical vigour. They have occasion now and then to knock down Members of Parliament, and to cut off their moustaches; therefore I think the hon. Member for Kirkcaldy is wrong in the position he has taken up in objecting to the retirement of debilitated warders.

MR. BRUNNER (Cheshire, Northwich): The hon. Gentleman the Secretary to the Treasury states that warders retired on account of ill-health receive smaller pensions than those retired on abolition of office. That seems to me a remarkable official rule, and it seems to me that it would be far more fitting that men retired on the ground of ill-health should have higher pensions than those retired on abolition of office. Those retired on the ground of ill-health.

Resolution agreed to.

2. "That a sum, not exceeding £7,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, for Pensions to Masters and Seamen of the Merchant Service, and to their Widows and Children."

3. "That a sum, not exceeding £65,500, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, in aid of the Local Cost of Maintenance of Pauper Lunatics in Scotland."

4. "That a sum, not exceeding £4,005, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, in aid of the Local Cost of Maintenance of Pauper Lunatics in Ireland."

5. "That a sum, not exceeding £7,658, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, for the support of certain Hospitals and Infirmaries in Ireland."

MR. SEXTON: The Secretary to the Treasury indicated on Saturday that the Bill the Government have prepared for future settlement of this annual grant would be immediately introduced. As it has not yet made its appearance, I beg to ask the hon. Gentleman for some statement on the subject.

MR. JACKSON: I hope to be able to give notice of the introduction of the Bill to-morrow.

Resolution agreed to.

6. "That a sum, not exceeding £6,533, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, to make good the sum by which the Interest accrued in the year ended 20th November, 1888, from Securities held by the Commissioners for the Reduction of the National Debt, on account of 'The Fund for the Banks for Savings,' and 'The Fund for Friendly Societies' is insufficient to meet the Interest which the said Commissioners are obliged by Statute to Pay and Credit during such latter mentioned year to the Trustees of Savings Banks and to Friendly Societies."

7. "That a sum, not exceeding £939, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, for certain Miscellaneous Charitable and other Allowances in Great Britain."

8. "That a sum, not exceeding, £1,474, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, for certain Miscellaneous Charitable and other Allowances in Ireland."

CLASS VII.

9. "That a sum, not exceeding £12,639, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, for the Salaries and Incidental Expenses of Temporary Commissions and Committees, including Special Inquiries."

10. "That a sum, not exceeding £4,463, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, for certain Miscellaneous Expenses."

11. "That a sum, not exceeding £2,348, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, for the Repayment to the Civil Contingencies Fund of certain Miscellaneous Advances."

12. "That a sum, not exceeding £1,859, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, as a grant in aid to make good certain amounts required to be written off from the Assets of the Local Loans Fund"

13. "That a sum, not exceeding £4,507, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, for certain Grants in respect of the Estate of Matthew O'Reilly Dease, bequeathed for the Reduction of the National Debt."

14. "That a sum, not exceeding £1,885, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, for certain Advances in Aid of the Emigration and Colonisation of certain crofters and cottars of the Western Highlands and Islands of Scotland, including Expenses of Administration."

REVENUE DEPARTMENTS.

15. "That a sum, not exceeding £4,752,553, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, for the Salaries and Expenses of the Post Office Services, the Expenses of Post Office Savings Banks, and Government Annuities and Insurances, and the Collection of the Post Office Revenue."

*MR. CHANNING (Northampton, E.): The House will remember that on Saturday afternoon I had a notice of Amendment on the Paper in reference to this Vote but withdrew it, in order to enable the Government to obtain the Vote, the understanding being that I should raise the question I desired to bring under the notice of the House on Report. I wish to draw attention to two matters—namely, the neglect of the Postmaster General to carry out any of the recommendations of the Select Committee appointed in 1887 to consider the question of Sunday postal labour, and secondly, the excessive hours of labour of the telegraph clerks of the Metropolis. The Committee of 1887 recommended, with reference to the question of the discontinuance of Sunday postal deliveries, that a system of local option should be introduced, with the proviso that where the postal delivery was discontinued there should be a window delivery. The Committee also recommended that the indoor and outdoor officials should, as far as practicable, have every alternate Sunday to themselves. These were recommendations of a very moderate character, and the second one was in accordance with the views of the Select Committee of 1871. What I complain of is that although the recommendations of the Committee were moderate, the right hon. Gentleman the Postmaster General has refused to act on them. In November last a question was put to the Postmaster General, and his reply covered the whole ground of the recommendations of the Committee. I will not deal with all those recommendations; but I desire to ask the right hon. Gentleman one question with

regard to the experiments carried out with book and newspaper packets at Bristol, Nottingham, and Wolverhampton. The right hon. Gentleman stated in his reply that the reduction of the work to the outdoor Post Office officials was counterbalanced by the additional work imposed on the indoor officials. I should like to have some further explanation on that point. He also took exception to our recommendation that window deliveries should be substituted for the present system. He stated that window delivery was dangerous and uncertain; but I would draw attention to the evidence laid before the Select Committee from the town of Newcastle-upon-Tyne, where the system has prevailed for a long time, and where it has resulted in cutting down the labour of Post Office officials to a very considerable extent, because whereas formerly about 50 officials were required, now only 20 have to be in attendance on Sundays. I believe, too, that in only one trifling instance has there been any danger to correspondence in consequence of letters being delivered to a wrong person. Similar evidence was given with regard to towns in Scotland. The right hon. Gentleman obtained the opinion of the Town Councils in eight large towns, and he stated that, on the whole, that opinion was adverse to anything like a discontinuance of Sunday postal deliveries. Now, it will be remembered that the Committee recommended that two-thirds of the ratepayers should have the power to decide the point as to whether there should be Sunday deliveries, instead of two-thirds of the receivers of correspondence, as is now the case. We contend that this question of Sunday labour is a national question, which interests everyone in the country, and on which every ratepayer has a right to express his opinion. Now, I am chiefly interested in the last recommendation of the Committee, because it was owing to my own action that it was adopted. That recommendation was that the indoor and outdoor officials should have an alternate day's rest on Sundays. I was very much struck by the reply of the right hon. Gentleman on that point. He said that the indoor officials generally did only two hours work on Sundays, and in most cases they got at least one Sunday out of every three, and he did not think it necessary to afford any further relief. Now, I absolutely contest that assertion of the right hon. Gentleman, and I find, on reference to the evidence of Sir Arthur Blackwood, that in the town of Aberdeen the indoor officials are on duty every Sunday; that in Belfast they are on duty three Sundays out of four; that in Cork the first-class officials are on duty three Sundays out of four, and the second-class on every Sunday; that in Halifax the officials are on duty seven Sundays out of eight, and that the same proportions prevail in many other towns. I venture to suggest, therefore, that this evidence does not support the reply which the right hon. Gentleman the Postmaster General gave to a question last November. I think it is a great hardship that the sorting clerks should have to be on duty on Sunday after Sunday. I believe, indeed, that in some cases they only get one Sunday off in every 12. We ought to bear in mind that even if a man works only two or three hours on a Sunday the day is practically broken up, and it cannot be considered a complete holiday. I am not bringing this matter forward on Sabbatarian grounds. I am putting it merely on grounds of fairness, and I think we can fairly ask the Postmaster General to advance in the direction I have indicated, and which was indicated in the recommendation of the Committee, and give these men more relief than they now have. I hope I shall hear from the right hon. Gentleman to-night that he is prepared to grant this relief. Now, I desire to touch for one moment on the question of rural messengers. Sir Arthur Blackwood, in his evidence, stated that of the 3,304 rural messengers working on Sundays, 2,242 had alternate Sundays as a day of rest, and that the remaining 1,062 were on duty every Sunday in the year. I should just like to draw the attention of the House to this question: How much would it cost to enable these 1,062 men to get a complete rest on every alternate Sunday? In the Debate last year there was a strong expression of opinion on this point by the hon. Member for Oxford University—an opinion which should carry great weight with it on the other side of the House. The hon. Gentleman said it was plainly the duty of the Secretary to the Treasury to

loosen the purse strings and provide the moderate amount necessary to furnish this much desired relief. I will not quote the speech; but if hon. Members will refer to *Hansard* they will find that the hon. Gentleman gave the strongest possible expression of opinion on the matter. Surely out of the mighty surplus arising from Post Office administration the trifling sum of £3,000 or £4,000 could be set apart for this pupose. I therefore hope we shall have from the Postmaster General some assurance of his willingness to give way on this point. And now I wish to draw attention to some facts which have been placed in my hands by the noble Lord the Member for the Barnsley Division of Yorkshire with regard to telegraph clerks in the Metropolis, and on these facts I have to ask for some explanation from the right hon. Gentleman. It will be remembered that some years since, when Mr. Fawcett was at the head of the Department, it was pointed out that the clerks at the Central Telegraph Office suffered severely from the long hours of night labour, and as a result they were reduced from eight to seven. But I am informed that even now some of the clerks do day as well as night duty; that they work from 10 a.m till 3 p.m., from 5 p.m. till 8 p.m., and from 8 p.m. till 7 a.m., or a total of 19 out of every 24 hours. I am informed that the telegraph clerks are performing 14 hours work a day—from 12 at noon until 2 a.m. on the following day—with only one hour during the whole of that period for their meals. I am also told that the clerks who have objected to working these hours have been called upon to give a written explanation. I should like to have some information as to the truth of these statements, and a guarantee that these excessive hours of work for these officials, if substantiated, shall be reduced. I beg to move the Motion that stands in my name.

Amendment proposed, to leave out "£4,752,553," in order to insert "£4,752,453."—(*Mr. Channing.*)

Question proposed, "That '£4,752,553' stand part of the Resolution."

MR. T. M. HEALY: As a point of order, I should like to ask, Mr. Speaker, whether it has not been ruled that a reduction of a Vote cannot be moved on Report stage?

*MR. SPEAKER: It has never been so ruled.

MR. SEXTON: I would ask the right hon. Gentleman the Postmaster General if he will give us some information as to the issuing of warrants by the Chief Secretary in Ireland and the Home Secretary in England for the opening of the letters of Members of Parliament? I would ask whether the warrants have been directed against the correspondence of particular persons; whether they are for stated periods of time, and, if so, for what periods; what is the date of the last; and considering the admission that a certain letter addressed to me was opened by an unauthorised person, what precautions the right hon. Gentleman has taken, or intends to take, against the opening of a letter in the Post Office by a person not having legal authority?

MR. T. M. HEALY: I have given notice to the right hon. Gentleman of my intention to direct his attention to the Special Commission, and to Mr. Maberley's conduct in connection with the trial. We know from the action of the Attorney General during the Parnell Commission that, although it has been strenuously denied that such a thing has taken place, letters of Irish Members have been opened in the Post Office, for the Attorney General was able to produce one addressed by Dr. Kenny to Mr. O'Kelly. The Attorney General could only have obtained possession of the letter surreptitiously. I make no comment on the Attorney General's action as a lawyer in using a document which could only be obtained burglariously. The hon. and learned Gentleman did not hesitate to make use of the letters improperly obtained; but that, of course, is merely a question of good taste. We know that this practice of opening letters of ours has been constantly going on, and I think it most desirable we should have a clear understanding of what is taking place in the matter. For my own part, I have always made it a rule, not only since I entered public life, but before, not to put anything in a letter which I would not care to have published at Charing Cross. Therefore, I do not in the least object to the Postmaster General having my correspondence opened before him, provided he for-

wards it on to me afterwards without unnecessary delay. Unfortunately, however, that course has not been pursued, because letters, and letters even containing cheques for large amounts, addressed to me, have been unwarrantably detained at the Post Office. This has not occurred for some time, but still it has taken place, and only lately I have seen letters addressed to other hon. Members which have been opened before delivery. There is a gentleman in subcommand of the General Post Office in Dublin, named Maberly, and the moment the Parnell Commission began its sittings, Maberly put himself in communication with Mr. Soames. This established what we have had always contended—namely, that this was a Government inquiry, or, as the Home Secretary puts it, a great State trial. Members of the Government have spoken with two voices in this matter. While the Home Secretary has described the Parnell Commission as a great State trial, other Members of the Government have taken an entirely different line, and have said it is not a great State trial, but a private inquiry conducted by a private newspaper against private individuals. I do not know on what ground the Postmaster General is going to defend Mr. Maberly's conduct, but this I do say that the *Times* could never have got at the contents of any letter in the Dead Letter Office in Dublin if the arrangements of that office had been kept absolutely secret from Mr. Soames by the gentlemen connected with the Department. If the Government were placing all their resources at the disposal of the *Times*, and thoroughly glorified in the transaction, I should not attach the least blame to Mr. Maberly for going to Mr. Soames and giving him all the information at his disposal. That would be an intelligible stand to take; but when the Government allege that they have given the *Times* no aid at all, and when they say that the Attorney General who conducted the case for the *Times* was not the Attorney General in that case but Sir R. Webster acting as a private barrister, and that Mr. Soames was there as a private solicitor, I want to know how they obtained their information from the Dead Letter Office. Speaking roughly, Mr. Maberly is a gentleman who is known in Ireland as of the Orange persuasion, and has replaced all his Catholic officials by Protestants. In this case the Government, or rather Mr. Soames—I really do not know which, for they are like the trinity in unity—served Mr. Maberly with a *subpœna duces tecum* to produce certain letters from that office, and the documents which he had to bring with him must have been specified. How could Mr. Soames have known of Mr. Maberly's existence or of the evidence which he could give and the documents which he could produce from the Dead Letter Office except from Mr. Maberly himself? But though Mr. Maberly was in attendance at the Court, he was never called, although no doubt his documents were examined by the Attorney General—or, I ought to say, by Sir Richard Webster, because, of course, he was not Her Majesty's Attorney General. Dr. Jekyll was then Mr. Hyde. Mr. Soames was supplied with all the information which it was in the power of Mr. Maberly to produce. Dead letters are dealt with in a particular way if no owner is found after a certain period; and why, then, were these particular letters kept so long? In the ordinary course they would have been destroyed. I would ask the Postmaster General if these were State documents, and were to be used for State purposes, why were they not sent to Dublin Castle or the Kildare Street Club? I ask for information on this point. I ask what is the rule with regard to dead letters and their destruction? I must say that all the assurances which the right hon. Gentleman may give will not satisfy the Irish Members as to the non-existence of the practice of tampering with our letters in the Dublin Post Office. I do not complain of their examining our letters for certain purposes. When they have a whole population against them as they have in Ireland, and when they believe that whole population to be murderers, as they say they do in the case of Ireland, they must take some precautions. I do not object to their getting up and saying, "We will open the letters of the whole 86 of you." That would be an intelligible and justifiable attitude to take up. In one of the Invincible cases, I forget which, it was the opening of letters which enabled the Government to

get upon the track of the men connected with the crime. That, I say, would be an intelligible position to take up. But what I hate in the business is that the Government say they do not do this, and that they say—"We are a pure Government; we remember Sir Charles Graham, and do not do this sort of thing." They are ashamed to acknowledge in the face of Europe what they are doing, and they endeavour to obtain the advantages of the methods of foreign despotism with the appearance of liberal and enlightened administration. It is known for a fact that packets of letters were constantly taken to the Castle by an official, were steamed and opened, and read in the presence of the Lord Lieutenant (Lord Londonderry), and afterwards forwarded, or not, as the Government thought best. Now, what is the rule with regard to Ireland? I presume that the Lord Lieutenant has power to issue warrants, and that he does issue them. So notorious is the practice, that when in the case of the famous Mr. Cornwall, the Secretary of the Dublin Post Office, the gentleman who retired on the ground of ill health, and whose pension has lately been voted, when we subjected him to inquisition in the French scandal, he said—

"The only acquaintance I had with French was when he came to me and got certain letters; and sometimes I would give him a letter because he never came to me without a warrant;"

and yet at that time Mr. Fawcett was assuring us that nothing of the kind was going on. In the same way the right hon. Gentleman the Postmaster General will get up and say he is not aware of any such practice. I do not suppose that his subordinates come and tell the right hon. Gentleman; but I would ask him, will he take steps to ascertain from those in the Dublin Post Office whether this sort of thing is being done? Let the Postmaster General call them before him and have no hanky-panky about it; but say, "I want to know what is the practice; I want to see the steamkettle by which this is done." He might also visit the mail boats, which are mightily convenient and accommodating places for this sort of thing, it being notorious that letters are opened and examined on board those boats, and that numbers of the detective staff have travelled in them for the purpose of identifying the handwriting of certain persons; while in cases where they did not know it themselves, they have taken other persons with them for the same purpose. I could name a person who was at one time a Member of Parliament, who travelled with detectives from Dublin for the purpose of identifying the handwriting of Members of this House; and there can be no doubt that Sir Richard Webster got the letter of Dr. O'Kelly by some similar kind of metempsychosis. The Attorney General is sitting next the Postmaster General, who may, perhaps, consult his friend on the subject. What we say is this: Here is the system going on now as it has been going on for years. I should not object to its going on if the Government would only say, "We require it to be done and will continue to do it," because in that case the public would act accordingly. As far as we are concerned, it is well-known that where any letters of ours are urgent and require secrecy, we never entrust them to the British postman, and the fact that the Post Office is not trusted is one which the Postmaster General ought to take notice of and be anxious to remedy. I protest also against the way in which the Catholics are treated in Dublin. The Dublin Post Office is a nest of Orangemen and Freemasons—gentlemen who band themselves together for the purpose of preventing the Catholics from getting promotion, and who are, in reality, an association for boycotting Catholics. Under all these circumstances I do think the right hon. Gentleman, if he has the time, ought, during the holidays, to pay the Dublin Post Office a visit in order that he may overhaul these people and find out what is really going on.

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): In reply to the remarks that have been made by hon. Members opposite, I may say that I have made inquiries, as well as experiments, as to the subject introduced by the hon. Member for East Northampton; but, after inquiries, I have found that work would be rather increased than diminished if his suggestion were carried out. Careful consideration has also been given to the subject of the delivery of letters on Sundays with a view to

the possibility of its being discontinued. The Department put themselves in communication with the eight largest towns in England, and asked the Town Councils to give their opinions as to the practicability or desirability of introducing that change. Six, including Liverpool, Manchester, and Birmingham, declared against making any such change in the postal arrangements. Bristol did not express an opinion, and Nottingham was in favour of the change; but even in Nottingham the majority was not sufficient to give effect to the recommendations of the Committee. The hon. Member suggested that we might try the system of window deliveries. After consulting the persons most experienced in the large towns of this country, the Department were forced to the conclusion that it was not adapted to populous places in this country. The danger of letters getting into wrong hands and the great pressure are certainly to be avoided in the interests of the public. In some places there would be danger of the post offices being mobbed. This country is not like Scotland or Newcastle, where the people are not accustomed to have their letters delivered on Sundays. The principle shall, however, be recognised in less populous places. As regards giving postmen alternate Sundays off, a good deal has been done, and some thousands of pounds spent. I can assure the hon. Member that my attention has been called to the question of reducing the pressure of labour inside post offices as well as outside. As to the hours of work by telegraph clerks in the Metropolis, the hon. Member did not give notice of his intention to bring that subject forward, and consequently I am not prepared to meet him at this moment. I am afraid, however, it is a fact that some of the clerks, especially in the central office, work for a longer time than is desirable; but the work is generally overtime work, performed by volunteers for additional wages. But I promise to look into the matter. As regards the serious charges against the administration of the Post Office in Ireland, I can supplement the statement which I made on Saturday by saying that the warrants issued by the Lord Lieutenant for Ireland by the Home Secretary for England and Scotland, authorising the opening of the letters of particular persons, are not expressly limited in regard to their duration. A warrant given to intercept the correspondence of any particular individual continues to run until it is cancelled. But there is not at this moment in England or in Ireland any existing warrant. I believe there has been no warrant existing in Ireland since I have been in office, and in the same period there has been only one warrant in England, and that had reference to an ordinary criminal case. As regards Mr. Maberly, neither I nor the Department have any knowledge of any communication between that gentleman and the representatives of the *Times*. The Post Office have sanctioned no transaction whatever between Mr. Maberly and the *Times* and they have no knowledge of any such transaction.

MR. T. M. HEALY: Did the right. hon. Gentleman ask Mr. Maberly how the *Times* got the book?

*MR. RAIKES: I asked Mr. Maberly with regard to the question put to me the other day by the hon. and learned Member whether he took or produced any letters, and Mr. Maberly assured me that he did not. I am unable to see how Mr. Maberly could produce any letters unless he purloined them. I am told that this official is an Orangeman. That may be so. But I am also told that Mr. Maberly has driven every Catholic out of his office. I can only say with regard to the question put to me that Mr. Maberly's superior officer has not been removed from office. This gentleman has been temporarily employed in another branch of the Post office, and I have directed that he should be re-transferred to the position he previously held. I do not think that the hon. Gentleman or any one else seriously believes there is any intention on the part of the Government to dispense with the services or to disparage the services of Catholic servants of the State. These gentlemen are among the most trusted of Her Majesty's servants, and I should be extremely sorry if any one for a moment supposes that the Government wish to dispense with their services. I will make inquiries with regard to the missing cheque referred to by the hon. Member for Longford if the hon. Member will supply me with particulars. I am not aware that any dead letters have been kept from the natural process

of destruction for one moment longer than they ought to have been in consequence of any proceedings in connection with the *Times*. If I find there is any foundation for the statement that dead letters have been kept beyond their proper time I shall be happy to offer the hon. Member the best explanation I can. Then the statement has been made by the hon. Member that letters have been taken in packets before Lord Londonderry during his Viceroyalty and opened in his presence. That is a serious statement, and the hon. Member has made it on his responsibility as a Member of Parliament. It imputes to the Lord Lieutenant conduct of a very serious character; and I think it will be my duty to ask Lord Londonderry whether there is any foundation for such a statement. The hon. Member has made the statement on his own responsibility.

MR. T. M. HEALY: And I fully believe it.

*MR. RAIKES: I understand that he fully believes in its accuracy, and I suppose he is in a position to produce evidence in support of it. Of course it is not for me to positively deny a statement as to which I have no evidence whatever; but I perhaps may be forgiven if I say that it appears to me that the hon. Member must have been grossly deceived in making such an allegation. I cannot suppose it possible that the Lord Lieutenant could have been a party to transactions of this sort, which are so entirely irregular and, I presume, illegal. I will, however, make it my business to ascertain from the Lord Lieutenant whether there is anything which can give a colour to such a charge. With regard to Mr. Cornwall, that gentleman received no pension and had never applied for one. I will make inquiries as to whether the Post Office bags have been violated on board the Irish steamers. Of course, if anything of the kind had been done, it would constitute a grave crime; and I should be the first person to put the law in force if I found any person had in any way violated the sanctity of the post. If any person in England or Ireland opens a letter without having the proper authority to do so, he would be committing a grave crime, for which he might be severely punished. And I should be wanting in my duty if I did not take steps to punish any such offender. It may be the case that a letter addressed even to a Member of Parliament may be the subject of a criminal transaction. I know nothing of Mr. O'Kelly's letter; but if any person opened a letter addressed to that hon. Member, or to any other hon. Member, or, in fact, to any subject of the Queen in Ireland or England without a proper warrant from the Secretary of State in the one instance, or the Lord Lieutenant in the other, he would be committing a great crime against the laws of the land, for which he might be very severely punished. I certainly should be wanting in my duty if, under such circumstances, I did not take steps to punish the offender if evidence was forthcoming to enable me to act in the matter.

MR. E. HARRINGTON (Kerry, W.): I wish to say that last year, on Report of a Vote, I brought to the knowledge of the right hon. Gentleman a rather singular case, in which three Catholic telegraphists, because they were suspected of communicating information from their office in Tralee, were removed, and three Protestant Freemason Orangemen being put in their place. This is the first time I have ever ventured to raise the question as between Catholics and Protestants, and I now do it simply in order to enlighten the Postmaster General, and to enable him to act in this case. I have been in a National School and have been reared with Protestants. I have lived amongst them all my life, and have never found any cause of quarrel with them, and I hope I never may. Still, the curious anomaly which I have referred to has taken place, and the Postmaster General seems to be utterly oblivious of the fact that the question of the religion of these telegraphists was raised. In the town of Tralee, Protestants are only one in ten, and yet in the Post Office there are now no Catholics. It is surely a hard thing to say that because you merely suspect people of misusing their information, you shall replace all the Catholics in the Post Office by Protestants. I recognise the kindly spirit in which the right hon. Gentleman the Postmaster General has spoken to my hon. Friend. He spoke to me in a similar strain last year, but he has done nothing. It seems to me

that the Post Office as well as the police officials in the part of Ireland to which I refer, are completely in the hands of Cecil Roche and Colonel Turner. I trust the right hon. Gentleman will be able to grasp the facts of this case, and will ascertain why the three Catholic telegraphists to whose case I draw attention were removed from Tralee. I do not make any apology for reviving this question, and asking the right hon. Gentleman why nothing was done to carry out his promise. I do not want to see any change made in the rules and internal arrangements of Irish Telegraph Offices except such as are fair and equitable. I do not wish to have friends in the Post Office who can tell me secrets. I do not wish to see such an ugly and disagreeable system at the Post Office as that would involve; but, at the same time, I think the Government are setting a bad precedent in allowing clerks of one religious persuasion to be withdrawn in order to make room for others of another religious persuasion. I would ask the Postmaster General to apply his mind to this case in the spirit in which he has applied it to the case mentioned by my hon. Friend (Mr. T. M. Healy).

*MR. RAIKES: I can only speak again by the indulgence of the House. I have some recollection of the case to which the hon. Member refers, though it is not so vivid as it was 12 months ago. This much I remember, that the telegraph clerks were not removed from the Post Office because they were Catholics, but because they had been persistently getting into what was considered rather disorderly company.

MR. E. HARRINGTON: They were replaced by Protestants.

*MR. RAIKES: But they remained in the service, and there is no reason why they should not rise to high positions. All I can say is that they were not transferred because they were Catholics. They were transferred because it was represented to me that they had got into disorderly company. I was not aware before that the three clerks who replaced those who were transferred were Protestants, but I may mention that one of them has himself got into disorderly company in the North, and he has been removed to the South in the hope that he may do better there. I can only assure the hon. Gentleman that the question of religion does not influence my action in regard to the transfer of officials.

MR. E. HARRINGTON: I wish to explain, Mr. Speaker, that last year I did not gather from the Postmaster General that there was any allegation of misconduct against these men. I hope the right hon. Gentleman will admit that this is the first time that the allegation has been made against them.

Amendment, by leave, withdrawn.

MR. T. M. HEALY: I desire the House to take note of the fact that the Postmaster General has not answered me upon the specific point I raised, and I will therefore ask the House and the country to draw their own deductions from that. I asked, it will be remembered, how Mr. Soames got the information which appeared in the subpœna served upon Mr. Maberly. He replied that he was not able to give the House that information. I asked, in the second place, how Mr. Soames got the information which enabled the Attorney General to read to the Special Commission letters written by two Members of this House. Again, he was unable to tell me what I wanted to know; and I hope, therefore, that the country generally will appreciate at its full value the ignorance professed by the right hon. Gentleman.

Resolution agreed to.

16. "That a sum, not exceeding £484,405, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1890, for the Expense of the Post Office Packet Service."

Resolution agreed to.

LONDON COUNTY COUNCIL (MONEY) (No. 2) BILL. (No. 367).

Considered in Committee.

(In the Committee.)

Clause 5.

*MR. BARTLEY (Islington, N.): I wish to move the omission of Sub-section 4 of this clause. I do not intend to make a speech. All I will do is to say that it seems to me rather early in the day for the London County Council to wish a purchase a large site for new offices. I think the matter might stand over another year, and I very much doubt whether it would be well to allow

them to enter upon this expenditure, seeing that the rates have already gone up 4d., if not 6d., in the £1. I beg to move the omission of this sub-section.

Amendment proposed, in page 4, line 32, to leave out Sub-section 4.—(*Mr. Bartley.*)

Question proposed, "That Sub-section 4 stand part of the Clause."

MR. JACKSON: I hope my hon. Friend will withdraw his objection to this clause. It may become necessary, and it certainly is desirable, that power should be given to the County Council to make inquiry as to a suitable site. The clause contains ample safeguards, I think, against an improper expenditure being embarked upon. All it will enable the County Council to do is practically to inquire into the matter.

*MR. BARTLEY: There is no possible difficulty in the London County Council inquiring into the question of sites. I do not object to their doing that. But the clause enables them to acquire a site, and that would involve the expenditure of a large sum of the ratepayers' money. I, therefore, think it my duty to press the Amendment.

The Committee divided:—Ayes 81; Noes 30.—(Div. List, No. 335).

Clause agreed to.

Clause 6.

*SIR JOHN COLOMB (Tower Hamlets, Bow, &c.): In regard to this clause I should like to point out that power is only given to raise £313,000 for the purposes of the Thames Valley Tunnel Act. I think that is an exceedingly small sum, bearing in mind that the whole of East London is anxiously looking for the completion of this work, and I should, therefore, be glad if any Member of the Government can give the Committee information as to what it is proposed to do in regard to it.

*MR. BARTLEY: In Sub-section 8 I think there must be a misprint, for it says that the London County Council shall have power to borrow for the purposes of the Metropolis Streets Improvement Act £1,000, provided that the amount does not exceed £4,300,000. What does that mean?

MR. JACKSON: It means what it says, Sir. It means that another thousand pounds may be borrowed provided that the aggregate borrowings under the Act do not exceed the sum stated. With regard to the point raised by the hon. and gallant Member for Bow, I may point out that the sum asked for is that which it is estimated will be spent in the course of the current twelve months, and it was thought unnecessary to ask for power to raise more than that.

Clause 6, and remaining Clauses, agreed to.

MR. JAMES ROWLANDS (Finsbury, E.): I wish to move a new clause, the object of which is to enable the London County Council to pay all the costs, charges, and expenses which may be incurred by them up to the 31st December, 1890, in an inquiry to be instituted with respect to the water supply of the County of London. My reason for moving this clause is a very simple one, and I need not detain the House long in explaining it. It is, the Committee will remember, the clause which, at the instigation of the London County Council, the Government placed in the original Bill introduced this year, but it was subsequently omitted because of the number of Amendments placed upon the Paper in opposition to it by hon. Gentlemen on the opposite side of the House. I am told it has been stated that there was opposition to the clause from this side of the House also; but I cannot ascertain that this is the case, and I must say that were the statement confirmed, I should express my feelings as to the objectionable conduct pursued by hon. Gentlemen on this side equally as strongly as I have expressed them in regard to the conduct of hon. Members opposite. Now, this clause does not give the County Council for London power to purchase the water supply; it simply gives them power, within a little over 12 months, to make an inquiry into the whole question of the water supply, which is one of the most serious things with which we have to contend. I am quite convinced that the people of London will not allow simple monopolists to retain the control of their water supply for a long time to come. I should like to inform the Committee who were the gentlemen who opposed the original clause. So far as I can ascertain, they were all, more or less, directly interested in the various Water Companies supplying London.

One is the son of the Governor of the New River Company; a second is the brother of a director of another Company, and so it is in every case; and these Amendments were thus put forward, not in the interests or the welfare of the people of London, but because hon. Gentlemen were afraid that the proposed inquiry would disclose such a state of affairs as would induce the people of London to require their Representatives to deal forthwith with this great question. I think the importance of introducing this clause cannot be better illustrated than by reminding the Committee that in the year 1878, when the Metropolitan Board of Works spent a sum of £6,611 in connection with Bills introduced into Parliament on the question of the Water Supply of London, they were surcharged the amount by the Auditor in auditing their accounts for that year. In conclusion, I wish to say that we who support this clause are quite willing to agree to the insertion of a sum of money—say £5,000—as a limit of the expenditure to be incurred under it.

New Clause (Expenses of inquiry as to water supply,)—(*Mr. James Rowlands,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

MR. J. R. KELLY (Camberwell, N.): I represent a Metropolitan constituency. I agree with my hon. Friend opposite that this question is one of immense importance to London, and I regret that the Government should have thought it right to omit this particular clause. If my hon. Friend will agree to the insertion of a limit of £5,000 in his clause I shall be very happy to support him. I think that Londoners cannot much longer submit to the present state of affairs with regard to their water supply. They must obtain control over it; and if the London County Council will use such means as this clause will place at their disposal, they will be doing a great deal towards the work which the public will, sooner or later, call upon them to undertake.

The Committee divided:—Ayes 34; Noes 75.—(Div. List, No. 336.)

Bill reported, without Amendment.

Read the third time and passed.

BANN DRAINAGE [EXPENSES].

Order for Committee thereupon read, and discharged.

BANN DRAINAGE (RE-COMMITTED) BILL. (No. 344.)

Order for Committee read, and discharged.

Bill withdrawn.

LEASEHOLDERS (IRELAND) BILL. (No. 179.)

As amended, considered.

*MR. P. A. CHANCE (Kilkenny, S.): The object of the clause which I have to propose is to prevent the further exclusion from the benefits of the Land Act of leaseholders whose leases are not really renewable. In some cases leaseholders hold under-tenants for life, who are not certain of their power to lease, and, consequently, covenants are introduced, that if the leases granted be bad, fresh leases within the lessors' power will be granted. These leases are not really renewable leases, although they are technically so.

Clause (Covenants for renewal,)—(*Mr. Chance,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I hope the hon. and learned Member will not press this Amendment. The Government cannot accept the clause, for this reason. The Bill as it stands in no degree extends the class of leaseholders admitted to the benefits of the Act of 1887; it merely removes a flaw in the title of a limited number of cases. The hon. Member's proposal would, however, bring in an altogether new class, and the Government are not prepared to agree to that being done.

*MR. CHANCE: I do not admit that that is so. If the Government will not accept the clause I will withdraw it, for I will not take the responsibility of wrecking

the Bill. I leave the public to judge of the conduct of the Government. I beg leave to withdraw the Motion and clause.

Motion and Clause, by leave, withdrawn.

Bill read the third time, and passed.

SUPERANNUATION [ALLOWANCES, &c.]

Committee to consider of authorising the payment, out of moneys to be provided by Parliament, of Superannuation Allowances or Gratuities to certain persons under the provisions of any Act of the present Session, to amend the Acts relating to Pensions, Compensations, Allowances, and Gratuities to persons in respect of having held office in the Public Service (Queen's Recommendation signified), to-morrow.

EDUCATION GRANTS [CAITHNESS AND SUTHERLAND.]

Committee to consider of altering the conditions on which annual Parliamentary Grants for Education may be made to schools in the counties of Caithness and Sutherland (Queen's Recommendation signified) to-morrow.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887.

Return ordered—

"Giving (1) a Statement of the amounts payable from public moneys to the defence in cases where the venue has been changed, and (2) Copy of Order made by the Lord Lieutenant and Privy Council in Ireland, pursuant to section 15 of the Act."—(*Mr, Arthur Balfour*).

Return presented accordingly; to lie upon the Table.

House adjourned at twenty-five minutes after Two o'clock.

[INDEX.

INDEX

TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CCCXXXIX.

SEVENTH VOLUME OF SESSION 1889.

EXPLANATION OF THE ABBREVIATIONS.

Bills, Read 1°, 2° 3°, or 1ª, 2ª, 3ª, Read the First, Second, or Third Time.—In Speeches 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—1*st. Div.*, 2*nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text a Speech is marked thus*, it indicates that the Speech has been revised.

The subjects of debate have been, as far as possible, classified under "General Headings:"—*e.g.*, ARMY — NAVY — INDIA — IRELAND — SCOTLAND — PARLIAMENT — POOR LAW—POST OFFICE—METROPOLIS — CHURCH OF ENGLAND — EDUCATION — CRIMINAL LAW — LAW AND JUSTICE AND POLICE, &c.

ABERDEEN, Earl of
Local Government (Scotland) Bill, Committee, 475
Prevention of Cruelty to and Protection of Children Bill, Committee, 320

ABRAHAM, Mr. W., *Limerick, W.*
Ireland—Evictions—Abbeyfeale, 784, 785
Postmaster of Knockaney, 1016

ABRAHAM, Mr. W., *Glamorgan, Rhondda*
Supply—Science and Art Department, 1395
Tithe Rent-charge Recovery Bill, Order for Committee, 1112; Committee, 1160

ADMIRALTY—(*see* NAVY)

ADMIRALTY—First Lord (*see* HAMILTON, Right Hon. Lord G. F.)

ADMIRALTY—Civil Lord (*see* ASHMEAD-BARTLETT, Mr. E.)

ADMIRALTY—Secretary to (*see* FORWOOD, Mr. A. B.)

Advance Notes to Seamen Bill
l. Bill Withdrawn *Aug.* 8, 713 [Bill 93]

Advertisement Rating Bill
Royal Assent *Aug.* 12, 993

ADVOCATE, The LORD (*see* ROBERTSON, Right Hon. J. P. B.)

AFRICA (EAST COAST)
Pemba and Zanzibar, Slavery in, Question, Sir J. Kennaway; Answer, Sir J. Fergusson *Aug.* 6, 550

AFRICA (SOUTH COAST)
Zululand—British Troops, Questions, Mr. T. Ellis, Mr. Bradlaugh; Answers, The Under Secretary for the Colonies *Aug.* 13, 1124
Usibepu—Boundaries, Question, Mr. T. Ellis; Answer, The Under Secretary for the Colonies *Aug.* 12, 1024
Trial of Native Chiefs, Questions, Observations, Lord Herschell, The Secretary for the Colonies *Aug.* 9, 873

AFRICA (WEST COAST)
Old Calabar, Question, Mr. Buchanan; Answer, The Under Secretary for Foreign Affairs *Aug.* 9, 906

Agricultural Department
Lard, Adulterated, Question, Sir R. Paget; Answer, The President of the Board of Trade *Aug.* 8, 766

AINSLIE, Mr. W. G., *Lancashire, N., Lonsdale*
Jervis's Act, 794

AIRD, Mr. J., *Paddington, N.*
Supply—Ireland—County Court Officers', Divisional Commissioners', and Magistrates' Report, 1448

Allotments Act (*see* Labourers' Allotment Act,

AMBROSE, Mr. W., *Middlesex, Harrow*
Tithe Rent-charge Recovery Bill, Order for Committee, 1093, 1095; Committee, 1196

ANSTRUTHER, Col. R. H. L., *Suffolk, Woodbridge*
Local Taxation Licenses, 772

Arbitration Bill
c. Considered in Committee; Reported *Aug.* 2, 219 [Bill 267]
As Amended Considered; Order for 3R. Adjourned *Aug.* 5, 421
Read 3° and Passed *Aug.* 14, 1248
l. Returned from Commons; Agreed to with an Amendment *Aug.* 15, 1290 [Bill 97]
Commons Amendment Considered and Agreed to *Aug.* 16, 1455

Argentine Republic
Emigration, Questions, Mr. T. M. Healy; Answers, The Under Secretary for Foreign Affairs *Aug.* 12, 1011

ARGYLL, Duke of
Educational Endowments (Scotland) Petition, 1
Local Government (Scotland) Bill, Committee, 459, 480, 487, 493, 503, 510, 513, 515, 516, 517, 518, 521, 526; Consideration, 722, 725

Armenia
Consular Reports and Papers, Question, Mr. Channing; Answer, The Under Secretary for Foreign Affairs *Aug.* 2, 182
Exiles, Question, Mr. Channing; Answer, The Under Secretary for Foreign Affairs *Aug.* 15, 1346
Moussa Bey, Question, Mr. Channing; Answers, The Under Secretary for Foreign Affairs *Aug.* 15, 1346
Turkey and Armenia, Questions, Mr. Summers, Mr. Cochrane-Baillie; Answers, The Under Secretary for Foreign Affairs *Aug.* 13, 1140

ARMY
Administration, Question, Sir W. Barttelot; Answer, The First Lord of the Treasury *Aug.* 1, 70
Auxiliary Forces—Transport, Question, Observations, Lord Truro, Under Secretary for War *Aug.* 1, 41
Volunteers — Gloucestershire Engineers, Question, Mr. Bradlaugh; Answer, The Secretary for War *Aug.* 1, 59
Commissions, Royal Artillery and Royal Engineers, Questions, Observations, Earl of Milltown, Under Secretary for War *Aug.* 6, 425
Contracts — Meat, Question, Mr. Hanbury; Answer, The Secretary for War *Aug.* 2, 172
War Office, Question, Mr. Hanbury; Answer, The Secretary for War *Aug.* 13, 1130
Egypt—Defeat of the Dervishes, Questions, Colonel Eyre, Sir. W. Lawson, Sir W. Barttelot; Answers, The Secretary for War *Aug.* 5, 329
Military Operations against the Dervishes, Observations, Earl of Carnarvon, The Lord President of the Council, Earl Granville, The Under Secretary for War *Aug.* 5, 270
Future Policy, Questions, Observations, Earl of Carnarvon, The Prime Minister, Lord Herschell *Aug.* 12, 993
Gibraltar, Fever at, Question, Sir W. Barttelot; Answer, The Financial Secretary to the War Office *Aug.* 8, 771
India—Contagious Disease, Questions, Mr. C. Bentinck, Mr. Stuart; Answers, The Secretary for War, The Under Secretary for India *Aug.* 14, 1484
Ireland
Barracks, Dublin, Question, Major Rasch; Answer, The Secretary for War *Aug.* 15, 1320
Fourth Hussars, Question, Major Rasch; Answer, The Secretary for War *Aug.* 15, 1320
Island Bridge—Fourth Hussars, Question, Mr. Lafone; Answer, The Secretary for War *Aug.* 16, 1479
Medical Officers—Dr. Richard Nicholls, Question, Dr. Kenny; Answer, The Secretary for War *Aug.* 15, 1348
Malta—Disturbance at Rabato—Conduct of the Military, Question, Mr. Bradlaugh; Answer, The Secretary for War *Aug.* 12, 1012

[*cont.*

ARMY—*cont.*
Naval Manœuvres, Questions, Mr. Tomlinson, Mr. Cossham; Answers, The Secretary for War *Aug.* 2, 179
Officers—Horses — Forage Rations, Question, Mr. Hanbury; Answer, The Secretary for War *Aug.* 1, 68
Royal Artillery and Royal Engineers, Question, Mr. Bradlaugh; Answer, The Secretary for War *Aug.* 5, 323
Staff Officers, Question, Colonel Cotton; Answer, The Secretary for War *Aug.* 16, 1456
Staff Officers and Public Companies, Questions, Sir G. Campbell; Answers, The Secretary for War *Aug.* 19, 1661
Ordnance Department — Guns — Disabling Guns, Questions, Colonel Nolan; Answers, The Secretary for War *Aug.* 6, 540
Manufacturing Departments — Arsenal Workmen, Question, Colonel Hughes; Answer, The Secretary for War *Aug.* 9, 893
Regiments — Third Leicestershire Regiment, Question, The Marquess of Granby; Answer, The Secretary for War *Aug.* 16, 1473
Review—Aldershot, Question, Observations, Lord Brayne, The Under Secretary for War *Aug.* 12, 1006

Army Estimates
Half Pay, &c.; Retired Pay and Gratuities, &c.; Report *Aug.* 12, 1116

ATHERLEY-JONES, Mr. L., *Durham, N.W.*
Ireland—Criminal Law and Procedure Act—Tanner, Dr., Res. 100
Prince of Wales's Children Bill, 3R. 344
The Lott Estate, 1766
Tithe Rent-charge Recovery Bill, Committee, 1178

ATTORNEY-GENERAL (*see* WEBSTER, Sir R. E.)

Audit (Army and Navy Accounts) Bill
l. Read 3ª* and Passed, *Aug.* 1, 49 [Bill 164]
Royal Assent *Aug.* 12, 993

AUSTRALIAN COLONIES
Western Australia—Governorship, Questions, Mr. Channing, Mr. T. M. Healy, Mr. G. O. Morgan; Answers, The Under Secretary for the Colonies *Aug.* 12, 1019
Pearl Fisheries, Question, Mr. W. M'Arthur; Answer, The Under Secretary for the Colonies, *Aug.* 6, 545
Responsible Government, Questions, Sir G. Campbell, Mr. Leighton; Answers, The The Under Secretary for the Colonies, The First Lord of the Treasury *Aug* 8, 785

BADEN-POWELL, Sir G., *Liverpool, Kirkdale*
Government Publications, Sale of, 1123
Inland Revenue—Metropolitan Collectors, 1017
Mails to China, *via* Canada, 68
West Indies—Mail Contract, 1766

BALFOUR, Lord
Advance Notes to Seamen Bill, 3R. 713
Electric Lighting Provisional Orders Bill, 2R. 3
Local Government (Scotland) Bill, 2R. 34; Committee, 465, 471, 490, 493, 502, 505, 516, 530
Merchant Shipping Acts Amendment Bill, 2R. 161
Poor Law Bill, 2R. 163, 166; Committee, 714

BALFOUR, Right Hon. A. J. (Chief Secretary to the Lord Lieutenant of Ireland), *Manchester, E.*
Expiring Laws Continuance Bill, 2R. 1510
Ireland—Agricultural Statistics, 1137
Cattle Disease and Dublin Unions, 1325
Crimes and Outrages—Moonlighting at Kanturk, 1339
Alleged Outrage by Orangemen at Cookstown, 895; in Co. Armagh, 183
Criminal Law and Procedure Act—Boycotting, Charge of—Co. Wexford—Mellon, Doyle, and Kavanagh, 75, 782
Conybeare, Mr. 553, 798, 799, 903, 914, 1023, 1128, 1459, 1461, 1462, 1651, 1669; Res. 1670
Cost of Defending Prisoners, 783, 784, 909, 1022
M'Gee and Sayers, 1459, 1461, 1462
M'Namara, Mr. 55
Prisoners and the Press, 904
Stephen, Father, 913
Tanner, Dr. 185, 1028, 1143; Res. 92, 97, 108, 109
Treatment of Members—Whitewashed Cells, 67
Treatment of Prisoners—Derry Goal, 1459, 1461, 1462
Evictions—Abbeyfeale, 784, 785
Battering Ram—Donegal, 185
Clongorey Estate, 1346
Lord Clanricarde's Estate, 547
Fisheries—Shannon Drainage, 535, 536
Labourers' Dwellings, 1127
Land Acts—Amendment, 1457
Commission—Cases at Attry, 1335
Cases from Stranorlar, 911
Mr. Babington, 902
Mr. Roberts, 1126
Mr. Townsend, 1333
Fair Rents, 551, 1010
Dronin, 1321
Newry, 1467
Olphert Estate, 170
Templeton and Hope Estates, 1473, 1655
Waterford Union—Kilkenny, 1137, 1349
West Wicklow, 535
Landlord and Tenant—Clangorey Estate, 1650
Clanricarde Estate, 65
Ponsonby Estate, 1013
Law and Justice and Police—Barry, Mr. Thomas, 1666
Clare, Police in, 1030
Donegal, S.—Seizure for Rent, 792
Ennis—"Bad characters," 910
Fishermen—Alleged outrage by Police, 900
Fitzsimon, Margaret, 1472
Galway, John, Case of, and Police Protection, 1328

BALFOUR, Right Hon. A. J.—*cont.*
Inquest, Refusal to hold an, 1329
Keane, Thomas, 1665
Kinsella, John, Case of, 1327
Markets, Constables bidding at, 1652
Morrison, William, an Orangemen, Charge of Assault Against, 170
Police, Alleged Assault by, 1123
Reports, 55
Revising Barristers, 1652
Sherlock, Mr.—Payment of Witnesses, 1464
Shine, Timothy, Case of, 1660
Tallaght—Police and Private Meetings, 1134
Walsh, Michael, 1667
Light Railways—Bailieborough, Mullaugh, Kells, and Clones, 793
Cavan, 1130
Local Government Board—Dublin Rates—Mr. Pilkington and a Defaulting Collector, 1343
Holywood Foreshore, 1345
Lunatic Asylums—Governors, 1660
Inspector of Lunacy, 551
Magistracy—Res. 1319
Resident Magistrates—Return, 555
Preston, Capt. 1455
Roche, Mr. Cecil, 172
Roman Catholic Magistrate—Antrim, 1651
Medical Pensions, 1021
National Education—Royal University, 1329
Orangemen and Catholics, 1474, 1475
Piers and Harbours—Fenit Pier, 59, 544, 545
Poor Law—Baltinglass Union, 534
Dunfanaghy Union—Nonpayment of Poor Rate, 169
Prisons—Derry Gaol, 1010, 1031, 1142, 1481, 1482, 1668
Prisons Vote, 1769
Royal Dublin Society, 1471
Trustee Savings Bank—Limavidy, 1009
Interpretation Bill, 2R. 871
Light Railways (Ireland) Bill, Standing Committee on Trade, Res. 126; Consideration, 1704, 1708, 1711, 1712, 1716, 1726, 1727, 1728, 1731, 1735, 1738
Parliament—Business of the House, 554, 914, 1288
Members of (Charges and Allegations)—The Special Commission—Witness Tracy, 1653
Suck Drainage Bill, 1661; Res. 744; Consideration, 762; 3R. 764
Supply (Ireland)—Chief Secretary's Offices, &c. 1818, 1819, 1820, 1821, 1825, 1830
County Court Officers—Divisional Commissioners and Magistrates Report, 806, 807, 834, 835, 836, 837, 838, 840, 842, 843, 844, 845, 846, 847, 917, 918, 919, 980, 981, 1431, 1432, 1433, 1434, 1435, 1438, 1439, 1440, 1449
Land Commission, 1770, 1778, 1780, 1786, 1787, 1799, 1800
Lord Lieutenant's Household; 1807, 1808
Royal Irish Constabulary, 580, 581, 582, 583, 584, 585, 587, 588, 618, 621, 622, 623, 624, 625, 629, 630, 635, 630, 693, 696, 697, 865, 870
Sunday Closing (Ireland) Bill, 1768
Tithe Rent-charge Recovery Bill, Committee, 1237

BALLANTINE, Mr. W. H. W., *Coventry*
Navy, H.M.S. "Sultan," 1732

Bann Drainage (Re-Committed) Bill
c. Order for Committee; Bill Withdrawn *Aug.* 20, 1866 [Bill 344]

Bann Drainage (Expenses)
c. Order for Committee Read and Discharged *Aug.* 20, 1866

BARING, Mr. T. C., *London*
Coinage (Light Gold) Bill, Committee, 1241
Council of India Bill, 2R. 232
Light Railways (Ireland) Bill, Standing Committee on Trade, Res. 130
London County Council Money (No. 2) Bill, 2R. 987
Movable Dwellings Bill, Committee, 266

BARRAN, Mr. J., *York, W.R., Otley.*
Supply — Ireland — County Court Officers', Divisional Commissioners', and Magistrates' Report, 1433

Barrow Drainage Bill
c. Order for Resuming Adjourned Debate; Bill Withdrawn *Aug.* 12, 1120 [Bill 258]

BARTLEY, Mr. G. C. T., *Islington, N.*
London County Council (Money) (No. 2) Bill, Committee, 1862, 1863

BARTTELOT, Colonel Sir W. B., *Sussex, N.W.*
Army Estimates—Half-pay and Retired-pay, 1119
Army and Navy Administration, 70
Egypt—Defeat of the Dervishes, 330
Gibraltar, Fever at, 771
Tithe Rent-charge Recovery Bill, Order for Committee, 1052, 1053, 1070; Committee, 1233

BAUMANN, Mr. A. A., *Camberwell, Peckham*
London County Council Money (No. 2) Bill, 3R. 983

BEACH, Right Hon. Sir M. HICKS (President of the Board of Trade), *Bristol, W.*
Board of Trade—Journal, 66
Lard, Adulterated, 766
Contracts—Bull Rock Lighthouse, 1015
Boiler Explosion—Inquiries, 56
Labour Statistics, 60
Light Railways (Ireland) Bill, Standing Committee on Trade, Res. 132, 133; Privilege, 1226; Consideration, 1677, 1678, 1679, 1682
Maritime International Conference, 60
Merchant Shipping—Colour Blindness, 171

[*cont.*

BEACH, Right Hon. Sir. M. HICKS—*cont.*
Merchant Shipping (Pilotage) Bill, Consideration, 1644
Merchant Shipping (Tonnage) Bill, 541
Railways—Accidents and Mail Bags, 52
Classification of the Railways and Canal Traffic Act, 549
Kanturk and Newmarket, 58
Keith Junction—Collision, 1025
Rates, Charges, and Classification, 770, 1764
Regulations, 51
Regulation of Railways (No. 2) Bill, 2R. 221; Committee, 422, 423, 424, 639, 640, 641
Supply—Temporary Commissions, 1606
Taff Vale Railway Bill, Consideration, 880
Technical Instruction Bill, 2R. 992
Tithe Rent-charge Recovery Bill, Order for Committee, 1088, 1089, 1092

BEADEL, Mr. W. J., *Essex, Chelmsford*
Tithe Rent-charge Recovery Bill, Committee, 1174

BEAUCHAMP, Earl
Ecclesiastical Business Fees, 1005

BEAUFOY, Mr. M. H., *Lambeth, Kennington*
Importation of Sheep and Cattle, 324

BENTINCK, Right Hon. G. A. C., *Whitehaven*
Army—India—Contagious Disease, 1484
Supply—National Gallery, 1515
Westminster Hall, 791

BETHELL, Commander G. R., *York, E.R., Holderness.*
Tithe Rent-charge Recovery Bill, Committee, 1176

BIGGAR, Mr. J. G., *Cavan, W.*
Light Railways (Ireland) Bill, Standing Committee on Trade, Res. 132; Consideration, 1676, 1692, 1697, 1703, 1715, 1719, 1722, 1724, 1725, 1729, 1732, 1735, 1737, 1738
Suck Drainage Bill, Res. 748

BIRKBECK, Sir E., *Norfolk, E.*
Coinage, The, 1477
Importation of Sheep and Cattle, 324
Foot and Mouth Disease—Cattle imported from Holland, 1475, 1476
Pleuro-pneumonia—Compensation for Slaughter, 1476

BLANE, Mr. A., *Armagh, S.*
Ireland
Criminal Law and Procedure Act—M'Gee and Sayes—Derry Gaol, 1458
Tanner, Dr. Res. 122
Fair Rents—Newry, 1466
Olphert, 169
Land Law Amendment, 1456, 1457
[*cont.*

BLANE, Mr. A.—*cont.*
Law and Justice and Police—Fishermen, Alleged Outrage on, by Police, 899
Morrison, Wm., an Orangeman, Charge of Assault against, 170
Magistracy—Capt. Preston, R.M. 1455
Orangemen, Alleged Outrage by, in co. Armagh, 183; At Cookstown, 895
Poor Rate, Non-payment of—Dunfanaghy Union, 169
Post Office—Female Telegragh Service, 1487
Supply—Ireland—Lord Lieutenant's Household, 1804
Royal Irish Constabulary, 595, 866
Tithe Rent-charge Recovery Bill, Committee, 1187

BLUNDELL, Colonel H. B. H., *Lancashire, S.W., Ince*
Supply—Ireland—Resident Magistrates, 968

Board of Agriculture Bill
l. Returned from Commons *Aug.* 1, 4. [Bill 125]
c. Royal Assent *Aug.* 12, 993

BOARD OF TRADE — President (*see* BEACH, Right Hon. Sir M. E. HICKS)

Board of Trade
Contracts—Bull Rock Lighthouse, Question, Mr. T. W. Russell; Answer, The President of the Board of Trade *Aug.* 12, 1011
Lard, Adulterated, Question, Sir R. Paget; Answer, The President of the Board of Trade *Aug.* 8, 766
Journal, Question, Mr. H. Vincent; Answer, The President of the Board of Trade *Aug.* 1, 66

Boiler Explosions Act
Inquiries, Question, Mr. Summers; Answer, The President of the Board of Trade *Aug.* 1, 56

BRADLAUGH, Mr. C., *Northampton*
Africa—Zululand—British Troops, 1126
Army—Gloucestershire Engineer Volunteers, 59
Royal Artillery and Royal Engineers, 323
Building Societies—Star Bowkett, 901
Bury Corporation Bill, 3R. 887, 888
Council of India Bill, 2R. 226, 261
Dorchester Savings Bank, 1019
Hours of Labour in European Countries Return 1650
India—Bengal—Lower Provinces—Constitution, 1351, 1352
Budget, 1485
Chandalin Maharani of Rewa, 1323, 1324
Council of the Empire, 1321, 1323
Foreign Office, 1131
Labour Statistics, 59
Malta—Disturbances at Robato, 1012
Marriages (Basutoland, &c.) Bill, 3R. 231
Navy—Contracts, 60
H.M.S. "Sultan," 1755
[*cont.*

BRADLAUGH, Mr. C.—*cont.*
Parliament—Sitting and Adjournments of the House, Res. 1508
Post Office—Appointments, 905
Leeds—Employes, 773
Telegraphs—Staff Classification, 1479
Prince of Wales's Children Bill; Committee, 190, 194, 210
Regulation of Railways (No. 2) Bill, 2R. 226
Scotland—Law and Justice and Police—Whipping Juvenile Offenders, 77
Supply—British and Natural History Museums, 1408
Embassies and Missions Abroad, 1527, 1530
National Gallery, 1518
Technical Instruction Bill, 1766
Tithe Rent-charge Recovery Bill, 1359; Committee, 1174, 1176, 1232
Vaccination Acts—J. H. Matthews, 1757

BRAYE, Lord
Army—Aldershot Review, 1006

Bribery (Public Bodies) Prevention (Expenses)
c. Considered in Committee, *Aug.* 2, 263; Res. Reported *Aug.* 6, 651

BRITISH GUIANA
Constitutional Reform, Question, Mr. Watt; Answer, The Under Secretary for the Colonies *Aug.* 6, 552
Frontier Between British Guiana and Brazil, Question, Mr. Watt; Answer, The Under Secretary for Foreign Affairs, *Aug.* 6, 553

BROADHURST, Mr. H., *Nottingham, W.*
Coinage, The, 1478
International Labour Conference, 1650
Parliament—Business of the House, 1670
Poor Law—Lowestoft—Election of Guardians, 1645
Scotland—Procurator Fiscal at Falkirk, 1646
Technical Instruction Bill, 1765; 2R. 1255

BRODRICK, Hon. W. St. J. F. (Financial Secretary, War Department), *Surrey, Guildford*
Army—Gloucestershire Engineer Volunteers, 59
Gibraltar, Fever at, 772

BRUCE, Mr. G., *Finsbury, Holborn*
Tithe Rent-charge Recovery Bill, Committee, 1171

BRUNNER, Mr. J. T., *Cheshire, Northwich*
Regulation of Railways (No. 2) Bill, 2R. 228
Supply—Superannuation and other Allowances, 1846

BUCHANAN, Mr. T. R., *Edinburgh, W.*
Africa—Old Calabar, 906
Rabbit Coursing, 906
Scotland—Crinan Canal, 1355
Western Coast and Islands—Condition, 1486
Supply—Embassies and Missions Abroad, 1550

Building Societies
Starr Bowkett, Questions, Captain Heathcote, Mr. Bradlaugh; Answers, The Home Secretary *Aug.* 9, 901

Burial Grounds and Cemeteries
Bow Cemetery—Common Graves, Question, Mr. C. Graham; Answer, The Home Secretary *Aug.* 2, 177
Wooler Churchyard, Question, Mr. F. Maclean; Answer, The Home Secretary *Aug.* 9, 894

Bury Corporation Bill
c. Debate Resumed; Read 3° and Passed *Aug.* 9, 880

BURT, Mr. T., *Morpeth*
County Councils—Northumberland, 1484
Movable Dwellings Bill, Committee, 263

BUXTON, Mr. S. C., *Tower Hamlets, Poplar*
Slave Trade Conference, 328
Supply—Public Education, 364, 375, 642

BYRNE, Mr. G. M., *Wicklow, W.*
Ireland—Land Acts—West Wicklow, 535
Poor Law—Baltinglass Union, 534

CAINE, Mr. W. S., *Barrow-in-Furness*
India—Excise Duty, 1014

Caithness and Sutherland (Education Grants)
c. Bill Ordered; Read 1°* *Aug.* 19, 1671 [Bill 384]

CALDWELL, Mr. J., *Glasgow, St. Rollox*
Local Government (Scotland) Bill, Consideration, 1590, 1591, 1592
Scotland—Mails, 536, 541
Supply—Public Education, 390
Science and Art Department, 1397
Scotland Pauper Lunatics, 1600
Public Education, 1263, 1280
Temporary Commissions, 1604, 1606
Universities and Colleges, 1522, 1524

CAMERON, Dr. C., *Glasgow College*
Behring Sea Fisheries—Seizure of British Schooner, 175
Scotland—Fisheries—Seizure of Nets, 1325
Insurance Companies, Alleged Fraudulent Claim on, 1463

CAMPBELL, Sir G., *Kirkcaldy, &c.*
Arbitration Bill, Committee, 219, 220
Army—Staff Officers and Public Companies, 1661
Australia (Western)—Responsible Government, 785
Canadian Pacific Railway Company—Contracts, 1586
Canadian Pacific Route to Hong Kong, 1338, 1339
Council of India Bill, 2R. 231, 232, 242
Foreign Office List, 1468, 1469
India—Deccan Mines—Committee, 1132
Hyderabad—British Resident—Mr. Howell, 1469
Typhoid, 1337
Light Railways (Ireland) Bill, Consideration, 1695, 1713, 1715
Local Government Act—Overhead Wires and Spiked Fences, 786, 787, 1341, 1342
Local Government (Scotland), Bill, Consideration, 1589, 1592; The Burgh of Dysart, 63
Parliament—Business of the House, 76, 797, 1033, 1217, 1843
Autumn Session, 1486
Prince of Wales's Children Bill, Committee, 189, 215, 217
Public Works Loans Bill, 2R. 1511
Suck Drainage Bill, Res. 742; Consideration, 752, 757; 3R. 764
Supply—Embassies and Missions Abroad, 1574, 1575
Miscelleneous Expenses, 1607
National Gallery, 1421, 1512, 1517
Re-payments to Civil Contingencies Fund, 1607, 1612
Scotland—Public Education, 1279, 1371, 1381
Universities, 1384
Superannuation and other Allowances, 1593, 1594, 1595, 1596, 1598, 1599, 1600; Report, 1844
Universities and Colleges, 1521, 1522, 1524

CAMPBELL, Mr. H., *Fermanagh, S.*
Supply—Post Office, 1642

CAMPERDOWN, Earl of
Local Government (Scotland) Bill, 2R. 25; Committee, 457, 469, 475, 486, 488, 489, 493, 499, 501, 502, 508, 511, 515, 525, 527, 529; Consideration, 723, 724
Universities (Scotland) Bill, Committee, 727, 729, 732, 733, 736, 737, 738, 739

Canada (Ontario Boundary) Bill
l. Returned from the Commons Agreed to *Aug.* 1 4 [Bill 151]
Royal Assent *Aug.* 12, 993

CANADA
Canadian Pacific Railway Company—Contracts (*see* Post Office)
Canadian Pacific Route to Hong Kong, Question, Sir G. Campbell; Answer, The Secretary to the Treasury *Aug.* 15, 1338
[*cont.*

CANADA—*cont.*
Post Office—Mails, Question, Mr. J. M'Carthy; Answer, The Under Secretary for the Colonies *Aug.* 1, 56; Questions, Dr. Kenny; Answers, The Postmaster-General *Aug.* 13, 1134

Canal Boats Act, 1877
Education (*see under* Education)

CANTERBURY, Archbishop of
Prevention of Cruelty to Children Bill, Committee, 294

CAREW, Mr. J. L., *Kildare, N.*
Ireland—Evictions—Clangorey Estate, 1345, 1649
Fair Rents, 551
Land Commission—Mr. Babington, 902
Law and Justice and Police—Shine, Timothy, 1660, 1763

CARNARVON, Earl of
Egypt—Military Operations—Future Policy, 903, 1003

Cathedral Churches Bill
c. Bill Withdrawn *Aug.* 8, 872 [Bill 124]

CAUSTON, Mr. R. K., *Southwark, W.*
Christ's Hospital, 1335
London County Council Money (No. 2) Bill 2R. 987, 988
Medical Practitioners—Unqualified, 1470
Parliament—Business of the House, 73, 77, 554
Regulation of Railways (No. 2) Bill, Committee, 423, 641
Supply—Public Education, 645

CEYLON
Commissions on Evictions, &c., Questions, Sir E. Watkin; Answers, The Under Secretary for the Colonies *Aug.* 13, 1121

CHAMBERLAIN, Right Hon. J. *Birmingham, W.*
Scotland—Western Coasts and Islands—Condition, 1485

CHANCE, Mr. P. A., *Kilkenny, S.*
Bury Corporation Bill, 3R. 892
Ireland—Agricultural Statistics, 1137
Criminal Law and Procedure Act—Conybeare, Mr., Res. 1676
Land Acts—Kilkenny—Rents, 1136
Waterford Union, 1348
Leaseholders' (Ireland) Bill, Consideration, 1866
Light Railways (Ireland) Bill, Consideration, 1678, 1679, 1686, 1687, 1693, 1699, 1702, 1704, 1706, 1709, 1710, 1711, 1712, 1719, 1721, 1722, 1723, 1724, 1733, 1736, 1739, 1740
[*cont.*

CHANCE, Mr. P. A.—*cont.*
Suck Drainage Bill, Res. 747; Consideration, 751, 752, 754, 759, 760, 762
Supply—British and Natural History Museums, 1407, 1418
Ireland—Royal Irish Constabulary, 624
Tithe Rent-charge Recovery Bill, Committee, 1210

CHANCELLOR, The LORD (*see* HALSBURY, Lord)

CHANCELLOR of the EXCHEQUER (*see* GOSCHEN, Right Hon. G. J.)

CHANNING, Mr. F. A., *Northampton, E.*
Armenia—Consular Reports and Papers, 182
Exiles, 1346
Moussa Bey, 1346
Australia (Western)—Governship, 1019
Maritime Conference, 1021
Movable Dwellings Bill, Committee, 265
Parliament—Business of the House, 915
Supply, 1422
Sittings and Adjournments of the House—Res. 1508
Railways—Collision at Keith Junction, 1025
Regulation of Railways (No. 2) Bill, 2R. 223, 224; Committee, 421, 640
Supply—British and Natural History Museums, 1415
Embassies and Missions Abroad, 1552, 1569, 1572, 1574
Post Office, 1642, 1643; Report, 1848
Public Education, 650
Technical Instruction Bill, 2R. 991, 992

Charities Recovery Bill
l. Bill Withdrawn *Aug.* 8, 713 [Bill 164]

Charity Commissioners
Broughall Charity and the Allotments Act, Question, Mr. Jesse Collings; Answer, Mr. J. W. Lowther *Aug.* 15, 1341

Christ's Hospital, Question, Mr. Mundella; Answer, The Vice President of the Council, *Aug.* 6, 542; Question, Mr. Causton; Answer, The Vice President of the Council *Aug.* 15, 1335

Denbighshire Charities, Questions, Mr. J. Ellis; Answer, Mr. J. W. Lowther *Aug.* 12, 1022

St. Katherine's Hospital—The Master, Question, Mr. Fenwick; Answer, Mr. J. W. Lowther *Aug.* 8, 767

Unpaid Charity Rent Charges, Question, Sir W. Foster; Answer, The Vice President of the Council *Aug.* 9, 925.

CHILDERS, Right Hon. H. C. E., *Edinburgh, S.*
Western Australia Constitution Bill, 76

Children Insurance Prevention Bill
c. Bill Withdrawn *Aug.* 8, 872 [Bill 245]

CHINA
Canadian Pacific Route to Hong Kong, Question, Sir G. Campbell; Answer, The Secretary to the Treasury *Aug.* 15, 1338

Mails via Canada, Questions, Sir G. Baden-Powell; Answers, The Secretary to the Treasury, The Under Secretary for the Colonies *Aug.* 1, 68

Civil Establishments (Royal Commission)
Copy Ordered and Presented *Aug.* 16, 1588

Civil Establishments
Treasury Minute, Question, Mr. Pickersgill; Answer, The Chancellor of the Exchequer *Aug.* 15, 1354

Civil Service
Panton, Mr. Chas.—Conservative Registration Agent, Question, Mr. Labouchere; Answer, The First Lord of the Treasury *Aug.* 15, 1337

CLARK, Dr. G. B., *Caithness*
Ireland—Criminal Law and Procedure Act—Conybeare, Mr., Res. 1670
Light Railways (Ireland) Bill, Standing Committee on Trade, Res. 130
Parliament—Business of the House—Scotch Estimates, 1662
Prince of Wales's Children Bill, Committee, 219
Regulation of Railways (No. 2) Bill, 2R. 221
Scotland—Mails to Thurso and Wick, 1480
Schools in Caithness and Sutherland, Payments to, 1353
Embassies and Missions Abroad, 1537, 1574
Supply—Ireland—Hospitals and Infirmaries, 1602, 1603
Learned Societies, 1519
Miscellaneous, Charitable, and other Allowances, 1604
Miscellaneous Expenses, 1607
Payment to Civil Contingences, 1613
Post Office, 1626, 1639, 1643
Savings' Banks and Friendly Societies Deficiency, 1603
Science and Art Department, 1387, 1397, 1399
Scotland—Crofters' Colonization, 1613
National Gallery, &c. 1385
Public Education, 1273, 1283, 1381
Superannuation and other Allowances, 1600
Universities and Colleges, 1520, 1521, 1522, 1525

CLARKE, Sir E. (Solicitor General), *Plymouth*
Supply—British and Natural History Museum, 1415, 1416, 1419

CLIFFORD OF CHUDLEIGH, Lord
Prevention of Cruelty to and Protection of Children Bill, Committee, 304

COBB, Mr. H. P., *Warwick, S.E., Rugby*
Harrow Weald Drainage Scheme, 1744
Labourers' Allotments Act—Banbury Union, 1329, 1331
Navy—H.M.S. "Sultan," 1753

COCHRANE-BAILLIE, Hon. C. W. A. N., *St. Pancras, N.*
London County Council Money (No. 2) Bill, 2R. 990
Turkey and Armenia, 1141

Coinage (Light Gold) Bill
c. Considered in Committee; R.P. *Aug.* 13, 1216 [Bill 321]
Considered in Committee and Reported *Aug.* 14, 1237
Considered as Amended, Read 3°* and Passed *Aug.* 15, 1362
l. Read 1ª** *Aug.* 16, 1455 [Bill 233]

Coinage Light Gold (Expenses)
c. Considered in Committee *Aug.* 2, 219
Resolutions Reported and Agreed to *Aug.* 5, 348

COLLINGS, Mr. J., *Birmingham, Bordesley*
Labourers' Allotments Act
Broughal Charity Trustee, 1341
Westbourne Union—Sussex, 1340

COLOMB, Sir J. C. R., *Tower Hamlets, Bow, &c.*
Lea, River, 174, 900
London County Council Money (No. 2) Bill, Committee, 1863
Navy—Chief Engineers and Accountants, 767
Lieutenants, 1030
Line of Battle Ships, 1332
Manœuvres—Publication of Information by the Press, 1353

COLONIES — Secretary of State (*see* KNUTSFORD, Lord)

COLONIES—Under Secretary of State (*see* DE WORMS, Baron H.)

COLONIES
Merchandize Marks Act, Question, Mr. Mundella; Answer, The Under Secretary for the Colonies *Aug.* 9, 912

COMMINS, Dr. A., *Roscommon, S.*
Suck Drainage Bill, Res. 746, 752, 758, 762

Companies Clauses Consolidation Act (1888) Amendment Bill [Bill 187]
l. Read 2ª* and Committed to a Committee of the whole House *Aug.* 5, 270
Considered in Committee and Reported *Aug* 6, 531 [Bill 187]
Read 3ª and Passed *Aug.* 8, 739
Royal Assent *Aug.* 12, 993

Contagious Diseases (Animals) Act
Diseased Cattle, Question, Mr. O'Keeffe; Answer, The President of the Local Government Board *Aug.* 6, 539
Dublin Unions, Questions, Mr. T. M. Healy, Mr. Sexton; Answers, The Chief Secretary *Aug.* 15, 1324

[*cont.*

Contagious Diseases (Animals) Act—cont.
Foot and Mouth Disease—Cattle Imported from Holland, Questions, Sir E. Birkbeck; Answer, The Vice Chamberlain, *Aug.* 16, 1475
Importation of Sheep and Cattle, Questions, Sir E. Birkbeck, Mr. Beaufoy; Answers, The Vice Chamberlain *Aug.* 5, 324
Pleuro-pneumonia, Address for Returns *Aug.* 2, 268
Pleuro-pneumonia, Question, Major Rasch; Answer, The Vice Chamberlain *Aug.* 6, 533
Compensation for Slaughter, Question, Mr. H. Farquharson; Answer, The First Lord of the Treasury *Aug.* 15, 1354; Questions, Sir E. Birkbeck; Answers, The Vice Chamberlain *Aug.* 16, 1476

CONWAY, Mr. M., *Leitrim N.*
Elementary Teachers, 1349
Ireland—Service and Art Department, 1350
Supply—Ireland—Royal Irish Constabulary, 868
Public Education, 359, 421, 644
Science and Art Department, 1387, 1388, 1391

CORBET, Mr. W. J., *Wicklow, E.*
Ireland—Greystones Harbour, 180, 181

Corporal Punishment Bill
c. Order for Committee; Read and Discharged; Bill Withdrawn *Aug.* 2, 266 [Bill 12]

CORRY, Sir J. P. *Armagh, Mid.*
Ireland—Arrests for Drunkenness, Res. 1319
Naval Reserve Drill Battery—Belfast, 1343

COSSHAM, Mr. H., *Bristol, E.*
Ireland — Derry Gaol — Sanitary condition, 1032
Light Railway (Ireland) Bill, Consideration, 1672, 1696, 1705, 1710, 1733
Standing Committee on Trade, Res. 130
Navy—H.M.S. "Sultan," 908, 1753
Manœuvres, 180
Parliament—Business of the House, 915, 1499, 1843
Prince of Wales's Children Bill, Committee, 189
Supply
Ireland—Lord Lieutenant's Household, 1811
Royal Irish Constabulary, 598
Public Education, 388
Science and Art Department, 1390, 1396
Technical Instruction Bill, 2R. 1257
Tithe Rent-charge Recovery Bill, Order for Committee, 1069, 1104, 1106; Committee, 1151, 1175, 1202

Cotton Cloth Factories Bill
c. Considered in Committee and Reported; Re-Committed *Aug.* 5, 424 [Bill 294]
Considered in Committee *Aug.* 12, 1120 [Bill 366]
As Amended Considered; Read 3° and Passed *Aug.* 14, 1287
l. Read 1ª** *Aug.* 15, 1289 [Bill 227]

Cotton Cloth Factories (Expenses)
Considered in Committee *Aug.* 2, 265
Res. Reported and Agreed to *Aug.* 6, 552

COTTON, Col. E. T. D., *Cheshire, Wirral*
Army—Staff Officers, 1456

Council of India Bill
c. 2 R. Debate Resumed; Bill Read 2° Aug. 2, 231 [Bill 281]

County Courts Act (1888) Amendment Bill
c. Ordered; Read 1°* *Aug.* 1, 160 [Bill 362]

County Court Appeals (Ireland) Bill
l. Read 3ª and Passed *Aug.* 1, 37 [Bill 104]
c. Lords' Amendments Considered and Agreed to *Aug.* 12, 1120 [Bill 369]
l. Returned from Commons with Amendments Agreed to with Amendments *Aug.* 15, 1290 [Bill 104]
Commons' Amendments Considered and Agreed to *Aug.* 16, 1454

Court of Session and Bill Chamber (Scotland) Clerks Bill
l. Report from Standing Committee for Bills Relating to Law and Re-Committed *Aug.* 4 [Bill 152]
Considered in Committee and Reported *Aug.* 6, 531 [Bill 152]
Read 3ª and Passed *Aug.* 8, 722

COURTNEY, Mr. L. H. (Chairman of Committee of Ways and Means, and Deputy Speaker), *Cornwall, Bodmin*
Arbitration Bill, Committee, 220
Bury Corporation Bill, 3R. 880, 886, 892
Coinage (Light Gold) Bill, Committee, 1237, 1238, 1239, 1240
Light Railways (Ireland) Bill, Consideration, 1729
Movable Dwellings Bill, Committee, 265
Parliament—Rules and Orders of Debate, 802
Standing Orders relating to Private Bills, Res. 1313, 1315, 1316
Prince of Wales's Children Bill, Committee, 141, 150, 151, 191, 203, 218, 219
Suck Drainage Bill, Res. 741, 747, 755, 759, 762
Taff Vale Railway Bill, Consideration, 877
Tithe Rent-charge Recovery Bill, Order for Committee, 1071; Committee, 1227, 1228, 1229, 1147, 1158, 1159, 1160, 1164, 1185, 1186, 1187, 1207, 1209, 1210, 1211, 1212, 1213, 1215
Supply—Embassies and Missions Abroad, 1574
Ireland — Chief Secretary's Offices, &c. 1824, 1825, 1826, 1827, 1830
Land Commission, 1786
Lord Lieutenant's Household, 1809, 1810, 1811
Magistrates, 821, 835, 836, 842, 843, 845, 846, 918, 919, 921, 973

[*cont.*

COURTNEY, Mr. H. L.—*cont.*
Pauper Lunatics, 1600
Royal Irish Constabulary, 589, 613, 615, 622, 623, 625, 633, 634, 711, 712
Post Office, 1626
Scotland—Pauper Lunatics, 1600
Superannuation and other Allowances, 1597, 1600
Temporary Commissions, 1606

COX, Mr. J. R., *Clare, E.*
Ireland
Criminal Law and Procedure Act — M'Namara, Mr. 55
Treatment of Members — Whitewashed Cells, 67
Ennis, Bad Characters in, 910
Post Office, 1649
Magistracy—Mr. James Byrne, 899
Police in Clare, 1029
Shannon Drainage Works and Fisheries, 535, 536
Supply
Ireland—County Court Officers, Divisional Commissioners and Magistrates, 945; Report, 1433
Royal Irish Constabulary, 868, 870

CRAIG, Mr. J., *Newcastle-upon-Tyne*
Light Railways (Ireland) Bill, Consideration, 1692, 1693; Standing Committee on Trade, Res. 131

CRANBORNE, Viscount, *Lancashire, N.E., Darwen*
Supply—Public Education, 406, 409, 412, 413
Technical Instruction Bill, 2R. 1254

CRANBROOK, Viscount (Lord President of the Council)
Egypt—Military Operations against the Dervishes, 271
Intermediate Education (Wales) Bill, 2R. 427
Local Government (Scotland), Bill, Committee, 473
Prevention of Cruelty to and Protection of Children Bill, Committee, 274, 302, 306, 310

CRAWFORD, Earl of
Electrical Lighting Provisional Orders (Metropolis) Inquiry, Res. 1312
Electric Lighting Provisional Orders (No. 2) Bill, 3R. 1294

Crete
Disturbances in, Question, Mr. Summers; Answer, The Under Secretary for Foreign Affairs *Aug.* 2, 174

CRILLY, Mr. D., *Mayo, N.*
Light Railways (Ireland) Bill, Standing Committee on Trade, Res. 131

Criminal Law and Procedure (Ireland) Act, 1887
Return Ordered and Presented *Aug.* 20, 1868

Criminal Procedure (Ireland) Bill
c. Ordered; Read 1° * *Aug.* 13, 1145 [Bill 375]

Cross, Viscount (Secretary of State for India)
Court of Criminal Appeal, 1300, 1309
Ecclesiastical Business Fees, 1005
India—Diamond Harbour Division of the Pegunnahs—Distress, 40
Parliament—Business of the House, Res. 1290
Prevention of Cruelty to and Protection of Children Bill, Consideration, 720; 3R. 876

Cruelty to Animals Act
Rabbit Coursing, Questions, Mr. Buchanan; Answers, The Home Secretary *Aug.* 9, 906

Cruelty to Children (Prevention) Bill
l. Report from Standing Committee for Bills Relating to Law *Aug.* 1, 4 [Bill 160]
For further Proceedings see under new Title, "Prevention of Cruelty to and Protection of Children Bill"

Currency
Coinage, The, Questions, Sir E. Birkbeck, Mr. H. H. Fowler, Mr. Broadhurst; Answers, The Chancellor of the Exchequer *Aug.* 16, 1477

Customs
Liverpool Officers, Question, Mr. J. McCarthy; Answer, The Secretary to the Treasury *Aug.* 8, 771

Cyprus
Question, Mr. Fenwick; Answer, The Under Secretary for the Colonies *Aug.* 8, 768
Gems and Relics, Question, Mr. S. Leighton; Answer, The Under Secretary for the Colonies *Aug.* 1, 54

Darling, Mr. C. J., *Deptford*
Ireland—Criminal Law and Procedure Act—Tanner, Dr. Res. 106, 107
Prince of Wales's Children Bill, Committee, 190

Darling, Mr. M. T. Stormonth, (Solicitor General for Scotland), *Edinburgh and St. Andrew's Universities*
Supply—Scotland—Universities, 1383, 1384

Davey, Sir H., *Stockton*
Ireland—Criminal Law and Procedure Act—Tanner, Dr. Res. 117, 120

De Lisle, Mr. E. J. L. M. P., *Leicestershire, Mid*
Education—Royal Commission Report, 911
Supply—Public Education, 421
Westminster Hall, 897

Denman, Lord
Court of Criminal Appeal, 1310
Local Government (Scotland) Bill, 2R. 20
Parliament—Business of the House, Res. 1290
Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod, Second Report from Select Committee, Considered, 1296
Suck Drainage Bill, Res. 1453

de Worms, Baron H. (Under Secretary of State for the Colonies), *Liverpool, East Toxteth*
Africa (South)—Zululand—British Troops, 1124
Usibepu—Boundaries, 1024
Australia (Western)—Governorship, 1019
Pearl Fisheries, 546
Responsible Government, 786
British Guiana—Constitutional Reform, 552
Canadian Mails, 56
Ceylon—Commission on Evictions, &c. 1121
China—Mails *vid* Canada, 68
Colonies—Merchandize Marks Act, 912
Cyprus—Administration, 768
Gems and Relics, 54
Demerara, Portuguese Riots at, 1656
Jamaica—Sugar Cultivation, 537
St. Vincent, Colony of, 50

Dillwyn, Mr. L. L., *Swansea, Town*
Interpretation Bill, 2R. 1248
Judicial Rents (Ireland) Bill, Res. 652
Parliament—Business of the House, 1843
Tithe Rent-charge Recovery Bill, 71, 186; Order for Committee, 1498

Dimsdale, Baron R., *Herts, Hitchin*
County Councils and License Duties, 1746

Dixon, Mr. G., *Birmingham, Edgbaston*
Supply—Public Education, 402, 409
Technical Instruction Bill, 2R. 160, 991

Drainage and Improvement of Land (Ireland) Bill
c. Ordered; Read 1° * *Aug.* 15, 1451 [Bill 379]

Drainage Separation Bill
c. Ordered; Read 1° * *Aug.* 20, 1770 [Bill 368]

Dunraven, Earl of
Prevention of Cruelty to and Protection of Children Bill, Committee, 280, 291, 300, 301

DYKE, Right Hon. Sir W. H. (Vice President of the Committee of Council on Education), *Kent, Dartford*
Charity Commissioners—Unpaid Charity Rent Charges, 895
Education—Christ's Hospital, 542, 1336
Elementary Teachers, 1349
Joint Committee, 1023
Llangar—Voluntary Education, 182
Movable Dwellings, 778
National School—Colsterworth, 1743
Primary Schools—Exceptional Children, 896
Public Elementary Schools, 1761
Science and Art Department—Ireland, 1350
Schools Accommodation, 322, 785
School Fees, 1744
Short Sight and Elementary Schools, 779
Intermediate and Technical Education (Wales) Bills—Welsh Version, 183
Technical Instruction Bill, 2R. 157, 991, 1250
Supply—Public Education, 349, 357, 359, 386, 420, 421, 645, 648
Science and Art Department, 1386, 1390, 1391, 1396, 1398

East India (*see India*)

Ecclesiastical Commissioners
Ecclesiastical Business Fees, Return ordered *Aug.* 12, 1005

Education Department (*England and Wales*)
Board Schools, Turin Street, and the Police, Question, Mr. Pickersgill; Answer, The Home Secretary *Aug.* 8, 773

Canal Boats Act (1877), Questions, Mr. Stephens; Answers, The President of the Local Government Board, The Vice President of the Council *Aug.* 8, 777

Christ's Hospital, Question, Mr. Mundella; Answer, The Vice President of the Council *Aug.* 6, 542; Questions, Mr. Causton; Answers, The Vice President of the Council *Aug.* 15, 1336

Elementary Teachers, Question, Mr. Conway; Answer, The Vice President of the Council *Aug.* 15, 1349

Joint Education Committee, Question, Mr. T. Ellis; Answer, The Vice President of the Council *Aug.* 12, 1023

Llangar—Voluntary Education, Question, Mr. T. Ellis; Answer, The Vice President of the Council *Aug.* 2, 182

National School—Colsterworth, Question, Mr. H. Stewart; Answer, The Vice President of the Council *Aug.* 20, 1742

Primary Schools, Exceptional Children in, Question, Dr. Farquharson; Answer, The Vice President of the Council *Aug.* 9, 896

Public Elementary Schools, Questions, Mr. H. T. Wilson; Answers, The Vice President of the Council *Aug.* 20, 1761

Royal Commission Report, Questions, Mr. De Lisle; Answers, The First Lord of the Treasury *Aug.* 9, 911

Education Department—cont.
Science and Art Department, Question, Mr. Conway; Answer, The Vice President of the Council *Aug.* 15, 1350

School Fees, Question, Mr. H. Stewart; Answer, The Vice President of the Council *Aug.* 20, 1743

Shortsight and Elementary Schools, Question, Dr. Farquharson; Answer, The Vice President of the Council *Aug* 8, 779

Voluntary Schools—Accommodation, Question, Mr. S. Leighton; Answer, The Vice President of the Council *Aug.* 5, 322; *Aug.* 8, 785

Education Grants (*Caithness and Sutherland*)
Instruction to Committee *Aug.* 20, 1868

Educational Endowments (*Scotland*) *Act*
Question, Mr. H. Elliot; Answer, The Speaker *Aug.* 20, 1741

Educational Endowments (*Scotland*)
Petition for an Address Presented *Aug.* 1, 1

EGYPT
British Subjects, Question, Sir W. Foster; Answer, The Under Secretary for Foreign Affairs *Aug.* 6, 540

Egyptian Government, Question, Mr. Gourley; Answer, The First Lord of the Treasury *Aug.* 6, 549

Military Operations, Observations, Earl of Carnarvon, The Lord President of the Council, Earl Granville, The Under Secretary for War *Aug.* 5, 270; Questions, Colonel Eyre, Sir W. Lawson, Sir W. Barttelot; Answers, The Secretary for War *Aug.* 5, 329

Future Policy, Questions, Observations, Earl of Carnarvon, The Prime Minister, Lord Herschell *Aug.* 12, 993

Electric Lighting (Provisional Orders) Bill
l. Read 2ª *Aug.* 1, 3

Electric Lighting (Provisional Orders) [No. 2] Bill
l. Read 3ª and Passed *Aug.* 15, 1294

Electrical Lighting Provisional Orders (*Metropolis*) *Inquiry*
Motion that Minutes of Evidence, &c., be laid before the House *Aug.* 15, 1312

ELGIN, Earl of
Local Government (Scotland) Bill, Committee, 461, 466, 471, 472, 475, 486, 489, 490, 492, 493, 505, 518, 519, 520, 523

[*cont.*

ELLIOT, Hon. H. F. H., *Ayrshire, N.*
Educational Endowments (Scotland) Act, 1741

ELLIS, Mr. J. E., *Nottingham, Rushcliffe*
Judicial Rents (Ireland) Bill, Res. 652
Parliament—Business of the House, 72
Railway Accidents and Mail Bags, 51
Supply—Ireland—Magistrates, 844
Royal Irish Constabulary, 628, 863

ELLIS, Mr. T. E., *Merionethshire*
Africa—Zululand—British Troops, 1124
Usibepu, 1024
Charity Commissioners—Denbighshire Charities, 1022
County Electors, 790
Diplomatic and Consular Reports—Index, 178
Education—Joint Committee, 1023
Government Departments (Transfer of Powers) Bill, 70
Intermediate Education (Wales), Res. 1220
Intermediate and Technical Education Bills—Welsh Version, 183
Interpretation Bill, 2R. 1248
Parliament—Business of the House, 914
Sittings and Adjournments of the House, Res. 1505, 1507
Supply—Science and Art Department, 1387, 1394
Technical Education (Wales) Act, 1668
Technical Instruction Bill, 2R. 991
Tithe Rent-charge Recovery Bill, Order for Committee, 1055, 1067, 1083, 1114; Committee, 1147, 1161, 1178, 1180, 1184, 1185, 1190, 1233
Wales—Llangar—Voluntary Schools, 182

Emigration
Argentine Republic, Questions, Mr. T. M. Healy; Answers, The Under Secretary for Foreign Affairs *Aug.* 12, 1011

Emigration and Immigration (*Foreigners*), Report Brought up and Read *Aug.* 8, 765

ESSLEMONT, Mr. P., *Aberdeenshire, E.*
Prince of Wales's Children Bill, Committee, 187, 193, 194
Scotland—Ashbourne Act, 72, 184

Expiring Laws Continuance Bill
c. Ordered; Read 1°* *Aug.* 13, 1220 [Bill 376]
Read 2° *Aug.* 16, 1509

EYRE, Colonel H., *Lincolnshire, Gainsborough*
Defeat of the Dervishes, 329

Factories Acts
Inspectorships—Mr. Geo. Bateman, Question, Mr. H. Stewart; Answer, The Home Secretary *Aug.* 15, 1320

Factors Bill
c. Considered as Amended; Read 3°* and Passed *Aug.* 2, 230 [Bill 310]
l. Returned from the Commons *Aug.* 5, 269 [Bill 122]
Commons' Amendments Considered and Agreed to *Aug.* 9, 874
Further Amendments Made *Aug.* 15, 1290

FARQUHARSON, Dr. R., *Aberdeenshire, W.*
Education—Primary Schools—Exceptional Children, 896
Short Sight and Elementary Schools, 779
Merchant Shipping—Colour Blindness among Seamen, 171
Parliament—Business of the House, 329, 914

FARQUHARSON, Mr. H. R., *Dorset, W.*
Pleuro-pneumonia—Compensation for slaughter, 1354
Tithe Rent-charge Recovery Bill, Committee, 1201

FENWICK, Mr. C., *Northumberland, Wansbeck*
Cyprus, 768
Government Contractors and Workmen, 769
Inspector of Mines Report, 1135
Royalty Rents—Commission, 1354
St. Catherine's Hospital—The Master, 767

FERGUSSON, Right Hon. Sir J. (Under Secretary of State for Foreign Affairs), *Manchester, N.E.*
Africa—Old Calabar, 906
Pemba and Zanzibar, Slavery in, 550
Armenia—Consular Reports and Papers, 182
Exiles, 1346
Moussa Bey, 1347
Berlin—British Embassy, 1657
British Guiana and Brazil, Frontier between, 553
Crete, Disturbances in, 174
Egypt—British Subjects, 540
Emigration to the Agentine Republic, 1011
Foreign Affairs—Diplomatic and Consular Reports, Index, 179
England and the Triple Alliance, 1658
Foreign Office List, 1469
International Labour Conference, 1650
Maritime Conference, 1021
Morocco—Alleged Outrage, 793
International Conference and Consular Courts, 176
Newfoundland—St. Pierre et Miquelon and the French Government, 177
Persia—Shah's Visit, 538
Slave Trade Conference, 329
Supply—Embassies and Missions Abroad, 1527, 1532, 1533, 1534, 1535, 1536, 1537, 1539, 1543, 1545, 1546, 1547, 1570, 1572
Turkey and Armenia, 1140
United States—Behring Sea Fisheries—Seizure of British Schooner, 175
Consular Charges, 1326
Venezuela—Philip's Vessel, 781, 1659
Panama Gold Mine Company, 537

FIELD, Admiral E., *Sussex, Eastbourne*
Navy—Belted Cruisers, 1466
Portugese Riots at Demerara, 1656
Supply—Ireland Magistrates, Res. 824
Tithe Rent-charge Recovery Bill, Order for Committee, 1102, 1103, 1104

FINLAY, Mr. R. B., *Inverness, &c.*
Scotland—Caledonian Canal, 780

FIRTH, Mr. J. F. B., *Dundee*
London County Council Money (No. 2) Bill, 2R. 989, 990

FITZGERALD, Lord
County Court Appeals (Ireland) Bill, 3R. 37
Court of Criminal Appeal, 1297, 1301, 1310

FITZGERALD, Dr. J. G., *Longford, S.*
Ireland — Derry Gaol — Sanitary Condition, 1032
Supply—Royal Irish Constabulary, 860

FITZGERALD, Mr. R. V. P., *Cambridge*
Metropolis—Omnibus Horses, 907

FITZWYGRAM General Sir F. W., *Hants, Fareham*
Supply—National Gallery, 1516

FLYNN, Mr. J. C., *Cork, N.*
Ireland
Law and Justice and Police—Barry, Mr. Thomas, 1666
Constables Bidding at Markets, 1652
Galway, John, Case of—Police Protection, 1327
Kinsella, John, 1327
Statute of Edward III. 1651
Land Act, 1010
Liscarrall, Money Order Office for, 58
Magistracy—Roche, Mr. Cecil, R. M. 171, 172
Resident Magistrates—Return, 555
Moonlighting at Kanturk, 1340
Ponsonby Estate, 1012
Townsend, Mr. Horace, 1333
Light Railways (Ireland) Bill, Consideration, 1628
Merchant Shipping (Pilotage) Bill, Consideration, 1644
Public Works Loans Bill, 2R. 1511
Railways—Kanturk and Newmarket, 57
Supply—British and Natural History Museums, 1410
Ireland—Land Commission, 1788
Lord Lieutenant's Household, 1808, 1809
Pauper Lunatics, 1600, 1601
Resident Magistrates, 968, 973
Royal Irish Constabulary, 556
Superannuation and other Allowances, 1595

FOLEY, Mr. P. J., *Galway, Connemara*
Ireland—Postal Facilities in Boffin and Shark, 1024

FORBES, Lord
Local Government (Scotland) Bill, 2R. 34

FOREIGN AFFAIRS—Secretary of State (*see* SALISBURY, Marquess of)

FOREIGN AFFAIRS—Under Secretary of State (*see* FERGUSSON, Right Hon. Sir J.)

Foreign Affairs
Berlin—British Embassy, Questions, Mr. Labouchere; Answers, The Under Secretary for Foreign Affairs *Aug.* 19, 1657
Diplomatic and Consular Reports—Index, Question, Mr. T. E. Ellis; Answer, The Secretary for Foreign Affairs *Aug.* 2, 178
England and the Triple Alliance, Questions, Mr. Labouchere; Answers, The Under Secretary for Foreign Affairs *Aug.* 19, 1658
Foreign Office List, Question, Sir G. Campbell; Answer, The Under Secretary for Foreign Affairs *Aug.* 16, 1468

FORTESCUE, Earl
Intermediate Education (Wales) Bill, 2R. 441
Poor Law Bill, 2R. 167
Prevention of Cruelty to and Protection of Children Bill, Committee, 304

FORWOOD, Mr. A. B. (Secretary to the Admiralty), *Lancashire, Ormskirk*
Navy—Training Ships, 1124

FOSTER, Sir B. W., *Derby, Ilkestone*
Charity Commissioners — Unpaid Charity Rent Charges, 895
Egypt—British Subjects, 540
Ireland—Criminal Law and Procedure Act—Conybeare, Mr. 553
Parliament—Business of the House, 554
Supply—Royal Irish Constabulary, 585, 588

FOWLER, Right Hon. H. H., *Wolverhampton, E.*
Coinage, The, 1478
Ireland—Criminal Law and Procedure Act—Tanner, Dr. 62; Res. 87, 102
Parliament—Business of the House, 73, 1421, 1824
House of Commons—Admission of Strangers, 74
Sittings and Adjournments of the House, 1501
Prevention of Cruelty to and Protection of Children Bill, Consideration of Lord's Amendments, 1284
Supply
Ireland—Chief Secretary's Office, &c. 1834
Royal Irish Constabulary, 576, 580, 581, 582, 583, 584, 585
Tithe Rent-charge Recovery Bill, Order for Committee, 1062, 1070, 1110; Committee, 1169, 1193, 1200, 1206

FOWLER, Sir R. N., *London*
Coinage (Light Gold) Bill, Committee, 1238, 1242
Council of India Bill, 2R. 242, 245
Parliament—Business of the House, 1288, 1421
Sittings and Adjournments of the House, Res. 1506
Supply — Embassies and Missions Abroad, 1566

FRASER, General C. C., *Lambeth, N.*
Army Estimates—Half-pay and Return-pay, 1119

FRASER-MACKINTOSH, Mr. C., *Inverness-shire*
Scotland—Post Office—Mails, 541, 542

Friendly Societies Act, 1875
Report from Select Committee *Aug.* 6, 556

Friendly Societies
Select Committee, Question, Mr. Norton; Answers, The First Lord of the Treasury, *Aug.* 8, 795

FULTON, Mr. J. F., *West Ham, N.*
Ireland—Criminal Law and Procedure Act, Dr. Tanner, Res. 102, 103

GALLOWAY, Earl of
Local Government (Scotland), Bill, Committee, 525
Prevention of Cruelty to and Protection of Children Bill, Committee, 293

GARDNER, Mr. H. *Essex, Saffron Walden*
Parliament—Business of the House, 73, 796, 798
Supply—Public Education, 420, 643, 650
Tithe Rent-charge Recovery Bill, 71; Order for Committee, 1035, 1036, 1041, 1095, Committee, 1150, 1158, 1176, 1196, 1205, 1214, 1235, 1496

GEDGE, Mr. S., *Stockport*
Prince of Wales's Children Bill, Committee, 139
Tithe Rent-charge Recovery Bill, Committee, 1199, 1209

General Police and Improvement (Scotland) Act (1862) Amendment Bill.
c. Read 2°* *Aug.* 6, 651 [Bill 252]
Considered in Committee; Read 3°* and Passed *Aug.* 13, 1219
l. Read 1ª* *Aug.* 15, 1289 [Bill 228]
Read 2ª* and Committed to Committee of whole House *Aug.* 16, 1454

GERMANY
Berlin—British Embassy, Question, Mr. Labouchere; Answer, The Under Secretary for Foreign Affairs *Aug.* 19, 1657

Gibraltar
Fever at, Question, Sir W. Barttelot; Answer, The Financial Secretary to the War Office *Aug.* 8, 771

GILL, Mr. T. P., *Louth, S.*
Ireland—Criminal Law and Procedure Act—Treatment of Members—White-washed Cells, 67
Police Reports, 55
Supply
Ireland—Chief Secretary's Office, &c. 1828, 1830
County Court Officers—Divisional Commissioners and Magistrates—Report, 1446
Lord Lieutenant's Household, 1810, 1811
Resident Magistrates, 960, 980
Royal Irish Constabulary, 538, 539, 613, 621, 622, 623, 624

GLADSTONE, Right Hon. W. E., *Edinburgh, Mid Lothian*
Prince of Wales's Children Bill, Committee, 191, 200

GOLDSWORTHY, General W. T., *Hammersmith*
Indian Forest Department, 1663

GORST, Sir J. E., (Under Secretary of State for India) *Chatham*
India—Army—Contagious Disease, 1484
Bengal, Lower Provinces, Constitution, 1351, 1352
Bombay - Burma Trading Corporation, 1480
Chandalin Maharani of Rewa, 1323, 1324
Civil Engineers, 1744
Council of the Empire, 1322, 1323
Crawford Case, 1479
Excise Duty, 1014
Factory Labour, 1663
Foreign Office, 1131
Forest Department, 1663
Hyderabad—British Resident—Mr. Howell, 1469
Telegraph Department, 916
Typhoid, 1337

GOSCHEN, Rt. Hon. G. J. (Chancellor of the Exchequer), *St. George's, Hanover Square*
Civil Establishments—Treasury Minute, 1354
Coinage (Light Gold) Bill, Committee, 1216, 1242, 1245, 1246
County Councils and License Duties, 1747
Currency—Coinage, The, 1477, 1478
Inland Revenue Department—Stamps and Stores Department, 1347
Ireland—Limavady Savings Bank, 1132, 1333
National Teachers' Organisation, 1751
Seizure for Rent—Donegal, S. 539
Prince of Wales's Children Bill, Committee, 137, 138, 145, 146, 188, 197, 198, 205, 213, 215, 217; 3R. 333

[*cont.*

GOSCHEN, Rt. Hon. G. J.—*cont.*
Public Works Loans Bill, 2R. 1511, 1512
Supply—Universities and Colleges, 1523
Trustee Savings Banks—Dorchester, 1017
Macclesfield, 1482

GOURLEY, Mr. E. T., *Sunderland*
Behring Sea Fisheries—Seizure of British Schooner, 175
Egyptian Government, 549
Maritime International Conference, 60
Navy—H.M.S. "Rodney," H.M.S. "Elk," 53

Government Departments (Transfer of Powers) Provisional Order Bill
Questions, Mr. Rowntree, Mr. T. E. Ellis; Answers, The President of the Local Government Board, *Aug.* 1, 69; Questions, Mr. Hobhouse; Answers, The President of the Local Government Board *Aug.* 16, 1468

Government Departments
Contractors and Workmen, Question, Mr. Fenwick; Answer, A Lord of the Treasury *Aug.* 8, 769

Foreign Matches, Question, Mr. H. Vincent; Answer, The First Commissioner of Works *Aug.* 1, 52

Government Department Securities
Returns Ordered and Presented *Aug.* 8, 872

Government Publications
Foreign Office List, Questions, Sir G. Campbell; Answers, The Under Secretary for Foreign Affairs *Aug.* 16, 1468

Sale of, Question, Sir G. Baden-Powell; Answer, The Secretary to the Treasury *Aug.* 13, 1123

Government Stocks and Post Office Savings Banks
Question, Mr. O. V. Morgan; Answer, The Postmaster General *Aug.* 2, 180

GRAHAM, Mr. R. C., *Lanark, N.W.*
Bow Cemetery—Common Graves, 177
Prince of Wales's Children Bill, Committee, 148, 150, 151
Socialist Meetings, 173

GRANBY, Marquess of, *Leicester, Melton*
Army—Third Leicestershire Regiment, 1472
Typhoid Fever in the West-end of London, 1747

GRANVILLE, Earl
Egypt — Military Operations Against the Dervishes, 272
Poor Law Bill, Committee, 714
Prince of Wales's Children Bill, 2R. 532

GRAY, Mr. C. W., *Essex, Maldon*
Parliament—Business of the House, 797
Tithe Rent-charge Recovery Bill, Order for Committee, 1048, 1056, 1069, 1097, 1107; Committee, 1157, 1187, 1206, 1231

HALSBURY, Lord (Lord Chancellor)
Court of Criminal Appeal, 1304
Interpretation Bill, 3R. 36
Lunacy Acts Amendment Bill, Consideration, 721
Prevention of Cruelty to and Protection of Children Bill, Committee, 274, 277, 292, 303, 308, 314, 315, 316, 318
Private Bills (Alteration of Memorandum of Association), Consideration of Select Committee's Report, 1292

HAMILTON, Right Hon. Lord G. F. (First Lord of the Admiralty), *Middlesex, Ealing*
Navy — Chief Engineers and Accountants, 767
Contracts—Shipbuilding—The "Blenheim," 60
Guns in Barbette, Disabling, 779
Lieutenants, 1030
Manœuvres—Publication of Information by the Press, 1353
Reserve Drill Battery—Belfast, 1344
Review, 64
Press Accommodation, 792
Ships—Belted Cruisers, 1466
Decoration by Officers, 1324
H.M.S. "Elk," 54
H.M.S. "Medea," 69
H.M.S. "Rodney," 54
H.M.S. "Sultan," 779, 794, 908, 1753
H.M.S. "Victoria," 69
Line of Battleships, 1332
Shipbuilding on the Foyle, 63

HAMILTON, Lord
Local Government (Scotland), Bill, Committee, 465, 469, 474, 485, 513

HANBURY, Mr. R. W., *Preston*
Army—Contracts—Meat, 172, 173
Forage Rations of Officers' Horses, 68
War Office Contracts, 1130
Ireland—Criminal Law and Procedure Act—Tanner, Dr., Res. 98
Navy—Review, 64
Ships—H.M.S. "Medea," 69
H.M.S. "Victoria," 69

Hand-Loom Weavers (Ireland) Bill
c. 2R. Bill Withdrawn *Aug.* 1, 160 [Bill 15]

HARCOURT, Right Hon. Sir W. G. V., *Derby*
Coinage (Light Gold) Bill, Committee, 1238 1239, 1240, 1243, 1246
Light Railways (Ireland) Bill, Standing Committee on Trade Privilege, 1225
Parliament—Sittings and Adjournments of the House, Res. 1499, 1502, 1503

[*cont.*

HARCOURT, Right Hon. Sir W. G. V.—*cont.*
Supply—Ireland—County Court Officers—Divisional Commissioners and Magistrates—Report, 1438, 1440
Tithe Rent-charge Recovery Bill, 1355, 1356, 1358, 1360, 1361, 1487: Order for Committee, 1043, 1044, 1045, 1057, 1070, 1089, 1092, 1461, 1493,; Committee, 1148, 1154, 1155, 1157, 1164, 1165, 1167, 1170, 1171, 1174, 1175, 1177, 1179, 1181, 1184, 1185, 1186, 1187, 1188, 1191, 1203, 1204, 1211, 1212, 1214, 1228, 1229, 1233, 1234

HARRINGTON, Mr. E., *Kerry, W*
Ireland—Fenit Pier, 545
Judicial Rents (Ireland) Bill, 2R. 1219
Light Railways (Ireland) Bill, Standing Committee on Trade, Res. 132
Supply—British and Natural History Museums, 1409
Ireland—Magistrates, 919; Res. 807, 835, 842, 844, 845
Royal Irish Constabulary, 615, 634, 687
Post Office—Report, 1860, 1861, 1862

HARRINGTON, Mr. T. C., *Dublin Harbour*
Supply—Royal Irish Constabulary, 635, 637

HARRIS, Lord (Under Secretary of State for War)
Army—Aldershot Review, 1007
Auxiliary Forces—Transport, 45
Commissions—Artillery and Royal Engineers, 426
Egypt—Military Operations, 272

HARRIS, Mr. M. *Galway, E.*
Supply—Ireland—Lord Lieutenant's Household, 1811

HAYDEN, Mr. L. P., *Leitrim, S.*
Inland Revenue Department, 1347
Ireland—Sub-Land Commission at Mohill, 1751
Suck Drainage Bill, 1660; Res. 745

HEALY, Mr. M., *Cork*
Ireland—Law and Justice and Police
Barry, Mr. Thomas, 1666
Keane, James, 1665
Walsh, Michael, 1666
Judicial Rents (Ireland) Bill, Res. 652
Supply—British and Natural History Museum, 1420
Ireland—Land Commission, 1780, 1799
Royal Irish Constabulary, 679, 680
Tithe Rent-charge Recovery Bill, Committee, 1175

HEALY, Mr. T. M., *Longford, N.*
Australia (Western)—Governorship, 1019
Criminal Law and Procedure (Ireland) Bill, 1R. 1145

HEALY, Mr. T. M.—*cont.*
Emigration to the Argentine Republic, 1011
Expiring Laws Continuence Bill, 2R. 1509
Intermediate Education (Wales), Res. 1220
Interpretation Bill, 2R. 870
Ireland—Cattle Disease and Dublin Unions, 1324, 1325
Commission of the Peace—Mr. J. Bryne, 898
Criminal Law and Procedure Act
Conybeare, Mr. 904
Prisoners and the Press, 905
Tanner, Dr. 1029, 1143, 1760
Treatment of Prisoners in Derry Goal, 1462
Inny Drainage, 1027
Land Commission—Athy, Cases at, 1334, 1335
New Rules, 1763
Law and Justice and Police
Barry, Mr. T. 1648
Green Street Courthouse, 1333
Walsh, Michael, 1756
Magistracy—Mr. J. Bryne, 898
Post Office, Dublin—Dead Letter Office, 1137
Mr. Maberley and the Special Commission, 1138
Prisons—Derry Goal, 1142, 1760
Registry of Deeds Office, 1026
Ulster Canal, 1664
Judicial Rents (Ireland) Bill, 2R. 1218
Law and Justice and Police—Symons, G.—Bodmin Gaol, 1457
Light Railways (Ireland) Bill, Consideration, 1692, 1695, 1697
Parliament—Business of the House, 914, 1217, 1288, 1844
Members of (Charges and Allegations)—The Special Commission — British Museum Officials, 1654
Sittings and Adjournments of the House, 1505, 1507
Public Works Loans Bill, 2R. 1511
Statutes—Revised Editions, 1765
Suck Drainage Bill, Res. 743; Consideration, 753, 762
Supply—British and Natural History Museums, 1402, 1417, 1579, 1580
Ireland—County Court Officers—Divisional Commisioners and Magistrates, 842, 843, 919, 921, 936, 937, 979, 980; Report, 1440
Land Commission, 1770, 1780
Royal Irish Constabulary, 698, 712, 869
Post Office—Report, 1851, 1852, 1858, 1859, 1862
Superannuation and other Allowances—Report, 1846
Tithe Rent-charge Recovery Bill, 1359, 1361; Committee, 1212, 1213, 1215, 1232

HEATHCOTE, Captain J. H. E., *Staffordshire, N. W.*
Building Societies—Starr Bowkett, 901

HEATON, Mr. J. H., *Canterbury*
Supply—Miscellaneous Charitable and other Allowances, 1604
Post Office, 1614, 1634
Superannuation and other Allowances, 1596

HERSCHELL, Lord
Africa—Zululand—Native Chiefs, 873
County Court Appeals (Ireland) Bill, 3R. 37
Court of Criminal Appeal, 1306
Egypt—Military Operations—Future Policy, 1004
Local Government (Scotland) Bill, Committee, 463
Prevention of Cruelty to and Protection of Children Bill, Committee, 273, 274, 276, 279, 288, 291, 292, 300, 302, 305, 306, 308, 310, 311, 312, 313, 314, 315, 316, 317, 320; Consideration, 715, 716, 717, 718, 719, 720, 721; 3R. 875, 876, 877
Private Bills (Alteration of Memorandum of Association), Consideration of Select Committee's Report, 1291

HILL, Mr. A. S., *Staffordshire, Kingsivinford*
Behring Seas Fisheries—"Black Diamond," Seizure of, 795
Parliament — Business of the House, 553, 797
Tithe Rent-charge Recovery Bill, Order for Committee, 1046, 1047; Committee, 1147, 1162, 1163, 1170, 1197, 1202, 1203, 1214, 1235, 1236
Venezuela—Panama Gold Mine Company, 536, 537

HOBHOUSE, Mr. H., *Somerset, E.*
Government Departments (Transfer of Powers) Provisional Order Bill, 1467, 1438
Interpretation Bill, 2R. 1248
Tithe Rent-charge Recovery Bill, Order for Committee, 1065, 1066; Committee, 1231

HOME DEPARTMENT—Secretary of State (*see* MATTHEWS, Right Hon. H.)

HOME DEPARTMENT—Under Secretary of State (*see* WORTLEY, Mr. C. B. STUART-)

Hop Industry
Select Committee Nominated *Aug.* 2, 187

HOWELL, Mr. G., *Bethnal Green, N.E.*
Law and Justice and Police—Hunter, Samuel, Case of, 1483
Mines—Inspectors' Reports, 1135
Parliament—Business of the House, 1499
Sittings and Adjournments of the House, Res. 1503
Statutes—Revised Editions, 1765
Trustee Savings Banks—Dorchester, 1017
Limavady, 1131
Macclesfield, 1482

HOYLE, Mr. J., *Lancashire, S.E., Heywood*
Bury Corporation Bill, 3R. 890

HOZIER, Mr. J. H. C., *Lanarkshire, S.*
Supply—Scotland—Public Education, 1278

HUGHES, Colonel E., *Woolwich*
Arsenal Workmen, 893
Post Office—Metropolitan Postmen, 893
Woolwich Post Office, 894

HUNTER, Mr. W. A., *Aberdeen, N.*
Light Railways (Ireland) Bill, Consideration), 1691
Prince of Wales's Children Bill, Committee, 194
Scotland—Post Office—Telegraph Staff at Aberdeen, 1668
Supply—Post Office, 1626
Scotland—Public Education, 1277, 1282, 1362, 1375
Universities, 1382, 1384
Tithe Rent-charge Recovery Bill, Committee, 1231

HUNTER, Sir W. G., *Hackney, Central*
Council of India Bill, 2R. 235

HUNTLEY, Marquess of
Local Government (Scotland) Bill, 2R. 32, 34; Committee, 483, 484, 490, 492, 493, 503, 505

ILLINGWORTH, Mr. A., *Bradford, W.*
Light Railways (Ireland) Bill, Standing Committee on Trade, Res. 128
Parliament—Sittings and Adjournments of the House, Res. 1504
Supply—Scotland—Public Education, 1378

INDIA—Secretary of State (*see* CROSS, Viscount)

INDIA—Under Secretary of State (*see* GORST, Sir J. E.)

INDIA
Army—Contagious Disease, Question, Mr. C. Bentinck, Mr. Stuart; Answer, The Secretary for War, The Under Secretary for India *Aug.* 16, 1484
Bengal—Lower Provinces—Constitution, Questions, Mr. Bradlaugh; Answers, The Under Secretary for India *Aug.* 15, 1351
Bombay-Burma Trading Corporation, Address for Return *Aug.* 20, 1741
Bombay-Burmah Trading Corporation, Question, Sir R. Lethbridge; Answer, The Under Secretary for India *Aug.* 16, 1480
Budget, Question, Mr. Bradlaugh; Answer, The First Lord of the Treasury *Aug* 16, 1485
Chandalin Maharani of Rewa, Questions, Mr. Bradlaugh; Answers, The Under Secretary for India *Aug.* 15, 1323
Civil Engineers, Question, Mr. T. G. Talbot; Answer, The Under Secretary for India *Aug.* 20, 1744
Council of the Empire, Questions, Mr. Bradlaugh; Answers, The Under Secretary for India *Aug.* 15, 1321

[*cont.*

INDIA—*cont.*

Crawford Case, Question, Sir R. Lethbridge; Answer, The Under Secretary for India *Aug.* 16, 1479

Deccan Mines Committee, Question, Sir G. Campbell; Answer, The Secretary to the Treasury *Aug.* 13, 1132

Diamond Harbour Division of the Pegunnahs, Distress in, Question, Observations, Lord Stanley of Alderley, The Secretary for India *Aug* 1, 37

Excise Duty, Question, Mr. Caine; Answer, The Under Secretary for India *Aug.* 12, 1014

Factory Labour, Question, Mr. J. Maclean; Answer, The Under Secretary for India *Aug* 19, 1663

Foreign Office, Question, Mr. Bradlaugh; Answer, The Under Secretary for India *Aug.* 13, 1131

Forest Department, Question, Mr. Goldsworthy; Answer, The Under Secretary for India *Aug.* 19, 1663

Hyderabad—British Resident, Mr. Howell, Question, Sir G. Campbell; Answer, The Under Secretary for India *Aug.* 16, 1469

Telegraph Department, Questions, Sir R. Lethbridge; Answers, the Under Secretary for India *Aug* 9, 915

Typhoid, Question, Sir G. Campbell; Answer, The Under Secretary for India *Aug.* 15, 1337

Insurance Companies

Fraudulent Claim, Alleged, Question, Dr. Cameron; Answer, The Lord Advocate *Aug* 16, 1463

Intermediate and Technical Education (Wales) Bills

Welsh Version, Question, Mr. T. Ellis; Answer, The Vice President of the Council *Aug.* 2, 183

Intermediate Education (Wales)

Motion for an Address Withdrawn *Aug.* 8, 764

Motion for an Address *Aug.* 13, 1220

Intermediate Education (Wales) Bill

l. Read 1ª* *Aug.* 1, 5 [Bill 201]

Read 2ª and Committed to Committee of the Whole House *Aug.* 6, 427

Considered in Committee and Reported *Aug.* 8, 721

Read 3ª* and Passed *Aug.* 9, 874

Royal Assent *Aug.* 12, 993

International Labour Congress

Questions, Mr. Broadhurst, Mr. Bradlaugh; Answers, The Under Secretary for Foreign Affairs *Aug.* 19, 1650

Interpretation Bill

l. Debate on 3R. Resumed; Read 3ª and Passed *Aug.* 1, 36 [Bill 92]

c. Read 1°* *Aug.* 2, 267 [Bill 364]

2R. Deferred *Aug.* 8, 870

Debate on 2R. Resumed; Read 2° *Aug.* 14, 1247

IRELAND

Agricultural Statistics, Question, Mr. Chance; Answer, The Chief Secretary *Aug.* 13, 1137

Army—Dublin Barracks, Question, Major Rasch; Answer, The Secretary for War *Aug.* 15, 1320

Island-Bridge Barracks and Fourth Hussars, Question, Mr. Lafone; Answer, The Secretary for War *Aug.* 16, 1479

Dr. Richard Nicholls, Question, Dr. Kenny; Answer, The Secretary for War *Aug.* 15, 1348

Board of Public Works—General William Sankey, Question, Dr. Kenny; Answer, The Secretary to the Treasury *Aug.* 6, 551

Phœnix Park, Band in, Questions, Mr. Murphy, Mr. Sexton; Answers, The Secretary to the Treasury *Aug.* 20, 1752

St Stephen's Green Public Park—Dublin Working Men's Club Band, Questions, Mr. Sexton; Answers, The Secretary to the Treasury *Aug.* 5, 828

Cattle, Diseased, Question, Mr. O'Keeffe; Answer, The President of the Local Government Board *Aug.* 6, 539

Dublin Unions, Questions, Mr. T. M. Healy, Mr. Sexton; Answers, The Chief Secretary *Aug.* 15, 1324

Crime and Outrages

Orangemen, Alleged Outrage by—Cookstown, Questions, Mr. Blane; Answers, The Chief Secretary *Aug.* 9, 895; *Co. Armagh*, Question, Mr. Blane; Answer, The Chief Secretary *Aug.* 2, 183

Moonlighting at Kanturk, Questions, Mr. Macartney, Mr. Flynn; Answers, The Chief Secretary *Aug.* 15, 1339

Criminal Law and Procedure Act

Boycotting in Wexford—Charge against Mellon, Doyle, and Kavanagh, Questions, Mr. W. Redmond; Answers, The Chief Secretary *Aug.* 1, 74; *Aug.* 8, 781

Conybeare, Mr., Questions, Sir W. Foster, Mr. Mac Neill; Answers, The Chief Secretary *Aug.* 6, 553; Questions, Mr. Mac Neill, Dr. Kenny, Mr. W. McArthur; Answers, The Chief Secretary, Mr. Speaker *Aug.* 8, 798; Questions, Mr. Mac Neill, Mr. W. McArthur, Dr. Kenny, Mr. T. M. Healy; Answers, The Chief Secretary *Aug.* 9, 903; Question, Mr. Mac Neill; Answer, The Chief Secretary *Aug.* 9, 914; Questions, Mr. Mac Neill; Answers, The Chief Secretary *Aug.* 12, 1023; Questions, Mr. Mac Neill, Mr. Sexton, Mr. W. Macdonald, Dr. Kenny; Answers, The Chief Secretary *Aug.* 13, 1128; Questions, Mr. M'Arthur; Answers, The Chief Secretary

IRELAND—*Criminal Law and Procedure Act*—cont.
Aug. 16, 1458; Questions, Mr. W. M'Arthur; Answer, The Chief Secretary *Aug.* 19, 1650; Question, Mr. Mac Neill, Answer, The Chief Secretary *Aug.* 19, 1669; Motion for Adjournment of the House *Aug.* 19, 1669

Cost of Defending Prisoners, Questions, Mr. O'Doherty, Mr. Sexton; Answers, The Chief Secretary *Aug.* 8, 783; Questions, Mr. O'Doherty; Answers, The Chief Secretary *Aug.* 9, 909; Question, Mr. O'Doherty; Answer, The Chief Secretary *Aug.* 12, 1021

M'Gee and Seyes—Treatment of Prisoners in Derry Gaol, Questions, Mr. Blane, Dr. Kenny, Mr. Sexton, Mr. T. M. Healy; Answers, The Chief Secretary *Aug.* 16, 1458

M'Namara, Mr. 55

Prisoners and the Press, Questions, Mr. W. M'Arthur, Mr. T. M. Healy, Mr. Mac Neill; Answers, The Chief Secretary *Aug.* 9, 904; Return Ordered and Presented *Aug.* 20, 1868

Stephen, Father, Questions, Mr. Mac Neill; Answer, The Chief Secretary *Aug.* 9, 913

Tanner, Dr., Res., Motion for the Adjournment of the House *Aug.* 1, 78; Questions, Mr. M. Kenny, Mr. Mac Neill, Mr. W. O'Brien, Mr. Sexton, Mr. H. H. Fowler; Answers, The Solicitor General for Ireland *Aug.* 1, 60; Questions, Mr. Sexton; Answers, The Chief Secretary *Aug.* 2, 185; Questions, Colonel Nolan, Mr. Sexton, Mr. T. M. Healy, Mr. Parnell, Mr. A. O'Connor; Answers, The Chief Secretary *Aug.* 12, 1027; Questions, Mr. T. M. Healy; Answers, The Chief Secretary *Aug.* 13, 1143; Questions, Mr. T. M. Healy; Answers, The Solicitor General for Ireland *Aug.* 20, 1760

Treatment of Members—Whitewashed Cells, Questions, Mr. Mac Neill, Mr. Cox, Mr. Gill; Answers, The Chief Secretary *Aug.* 1, 66

Customs House, Belfast—Probate Registry, Question, Mr. Sexton; Answer, The Secretary to the Treasury, *Aug.* 19, 1647

Fisheries—Seafield Fishing Harbour, Questions, Mr. Jordan; Answers, The Secretary to the Treasury *Aug.* 1, 74

Shannon Drainage, Question, Mr. O'Keeffe; Answer, The Secretary to the Treasury *Aug*, 5, 327; Questions, Mr. Cox; Answers, The Chief Secretary, The Secretary to the Treasury *Aug.* 6, 535

Labourers' Dwellings, Questions, Mr. Nolan; Answers, The Chief Secretary *Aug.* 13, 1126

Land Acts

Amendment, Questions, Mr. Blane; Answer, The Chief Secretary *Aug.* 16, 1456

Drapers' Company's Estates, Question, Sir G. Trevelyan; Answer, The Solicitor General *Aug.* 5, 323

[*cont.*

IRELAND—*Land Acts*—cont.
Fair Rents, Question, Mr. Carew; Answer, The Chief Secretary *Aug.* 6, 551; Question, Mr. Flynn; Answer, The Chief Secretary *Aug.* 12, 1010

Dromin, Question, Mr. Nolan; Answer, The Chief Secretary *Aug.* 15, 1321

Kilkenny, Questions, Mr. Chance; Answers, The Chief Secretary *Aug.* 13, 1136

Newry, Questions, Mr. Blane, Mr. Macartney; Answer, The Chief Secretary *Aug.* 16, 1466

Olphert Estate, Questions, Mr. Blane, Mr Mahoney; Answers, The Chief Secretary *Aug.* 2, 169

Templeton and Hope Estates, Question, Mr. P. O'Brien; Answer, The Chief Secretary *Aug.* 16, 1473; *Aug.* 19, 1655

West Wicklow, Questions, Mr. Bryne; Answer, The Chief Secretary *Aug.* 6, 535

Land Commission—Athy, Cases at, Questions, Mr. T. M. Healy; Answers, The Chief Secretary *Aug.* 15, 1334

Babington, Mr., Question, Mr. Carew; Answer, The Chief Secretary *Aug.* 9, 902

Mohill, Questions, Mr. Hayden; Answer, The Solicitor General for Ireland *Aug.* 20, 1751

New Rules, Question, Mr. M'Cartan; Answer, The Solicitor General for Ireland *Aug.* 19, 1655; Question, Mr. M'Cartan, Mr. T. M. Healy; Answers, The Solicitor General for Ireland *Aug.* 20, 1762

Stranorlar, Cases from, Question, Mr. A. O'Connor; Answer, The Chief Secretary *Aug.* 9, 911

Sub-Commissioners—Mr. Roberts, Question, Mr. Nolan; Answer, The Chief Secretary *Aug.* 13, 1126

Townsend, Mr. Horace, Questions, Mr. Flynn; Answer, The Chief Secretary *Aug.* 15, 1333

Waterford Union—Co. Kilkenny, Question, Mr. Chance; Answer, The Chief Secretary *Aug.* 15, 1348

Landlord and Tenant

Evictions—Abbeyfeale, Questions, Mr. W. Abraham, Mr. Mac Neill; Answers, The Chief Secretary *Aug.* 8, 784

Battering Ram, Donegal, Questions, Mr. Mac Neill, Mr. Sexton; Answers, The Chief Secretary, The First Lord of the Treasury *Aug.* 2, 185; Questions, Mr. Mac Neill; Answers, The Solicitor General for Ireland, the Secretary to the Treasury, The Speaker, The First Lord of the Treasury *Aug.* 5, 330

Clongorey Estate, Question, Mr. Carew; Answer, The Chief Secretary *Aug.* 15, 1345; Questions, Mr. Carew, Mr. Mac Neill; Answers, The Chief Secretary *Aug.* 19, 1649

[*cont.*

IRELAND—*Landlord and Tenant*—cont.
Lord Clanricarde's Estate, Questions, Mr. S. Lefevre; Answers, The Chief Secretary *Aug.* 1, 65; Question, Mr. Sexton; Answer, The Soltcitor General for Ireland *Aug.* 5, 328; Questions, Mr. Sexton, Mr. Shaw Lefevre; Answers, The Chief Secretary *Aug.* 6, 546
Ponsonby Estate, Questions, Mr. Flynn; Answers, The Chief Secretary *Aug.* 12, 1012

Law and Justice and Police
Barry, Mr. T., Case of, Questions, Mr. T. M. Healy; Answers, The Solicitor General for Ireland *Aug.* 19, 1648; Questions, Mr. M. Healy, Mr. Flynn; Answers, The Chief Secretary *Aug.* 19, 1666
Clare, Police in, Question, Mr. Cox; Answer, The Chief Secretary *Aug* 12, 1029
Donegal S.—Seizure for Rent, Question, Mr. Mac Neill; Answer, The Chancellor of the Exchequer *Aug.* 6, 538; Question, Mr. Mac Neill; Answer, The Chief Secretary *Aug.* 8, 791
Drunkenness, Arrests for, Motion for Return, *Aug.* 15, 1319
Ennis, "Bad Characters" in, Questions, Mr. Cox, Mr. S. Lefevre; Answers, The Chief Secretary *Aug.* 9, 910
Fishermen—Alleged Outrage by the Police, Questions, Mr. Blane; Answers, The Chief Secretary *Aug.* 9, 899
Fitzsimons, Margaret, and Duties of the Police, Question, Mr. Mahony; Answer, The Chief Secretary *Aug.* 16, 1471
Galway, John, Case of, and Police Protection, Questions, Mr. Flynn; Answers, The Chief Secretary *Aug.* 15, 1323
Green Street Courthouse, Questions, Mr. T. M. Healy; Answers, The Solicitor General for Ireland *Aug.* 15, 1334
Inquest, Refusal to hold an, Question, Mr. T. W. Russell; Answer, The Chief Secretary *Aug.* 15, 1329
Judge, Constable—Alleged Assault by the Police, Question, Mr. H. J. Wilson; Answer, The Chief Secretary *Aug.* 13, 1122
Keane, James, Questions, Mr. M. Healy; Answers, The Chief Secretary *Aug.* 19, 1665
Kinsella, John, Case of, Question, Mr. Flynn; Answer, The Chief Secretary *Aug.* 15, 1327
Markets, Constables Bidding at, Questions, Mr. Flynn, Mr. Mac Neill; Answers, The Chief Secretary *Aug.* 19, 1652
Morrison, Wm., an Orangeman, Charge of Assault against, Question, Mr. Blane; Answer, The Chief Secretary *Aug.* 2, 170
Police Reports, Questions, Mr. M'Cartan, Mr. Gill; Answers, the Chief Secretary *Aug.* 1, 54
Revising Barristers, Questions, Mr. M'Cartan; Answers, The Chief Secretary *Aug.* 19, 1652
[*cont.*

IRELAND—*Law and Justice and Police*—cont.
Sherlock, Mr.—Payment of Witnesses, Question, Mr. O'Hanlon; Answer, The Chief Secretary *Aug.* 16, 1464
Shine, Timothy, Question, Mr. Carew; Answer, The Chief Secretary *Aug.* 19, 1660; Question, Mr. Carew; Answer, The Solicitor General for Ireland *Aug.* 20, 1763
Statute of Edward III., Questions, Mr. Flynn; Answers, The Solicitor General for Ireland *Aug.* 19, 1651
Tallaght—Police and Private Meetings, Question, Mr. Murphy; Answer, The Chief Secretary *Aug.* 13, 1134
Walsh, Michael, Questions, Mr. M. Healy; Answers, The Chief Secretary *Aug.* 19, 1666; Questions, Mr. T. M. Healy; Answers, The Solicitor General for Ireland *Aug.* 20, 1756

Light Railways — Bailieborough, Mullagh, Kells, and Clones, Question, Mr. O'Hanlon; Answer, The Chief Secretary *Aug.* 8, 793
Cavan, Question, Mr. O'Hanlon; Answer The Chief Secretary *Aug* 13, 1130

Light Railways Bill (*see* Light Railways [Ireland] Bill).

Local Government Board—Dublin Rates—Mr. Pilkington and a Defaulting Collector, Questions, Dr. Kenny; Answers, The Chief Secretary *Aug.* 15, 1343
Holywood Foreshore, Nuisance at, Questions, Mr. Sexton; Answers, The Chief Secretary *Aug.* 15, 1345

Lunatic Asylums, Governors of, Questions, Mr. O'Keeffe; Answer, The Chief Secretary *Aug.* 19, 1659
Inspector of Lunacy, Question, Dr. Kenny; Answer, The Chief Secretary *Aug.* 6, 551

Magistracy, Motion for Return, 1319
Byrne, Mr. J., Questions, Mr. T. M. Healy, Mr. Cox; Answers, The Solicitor General for Ireland *Aug.* 9, 898
Hauratly, J. P., Mr.—Crossmaglen, Questions Mr. O'Hanlon; Answer, The Solicitor General for Ireland *Aug.* 20, 1757
Resident Magistrates
M'Dermott, Question, Mr. Kilbride; Answer, The Solicitor General for Ireland *Aug.* 14, 1221
Preston Capt., R.M., Question, Mr. Blane; Answer, The Chief Secretary *Aug.* 16, 1455
Return, Questions, Mr. Flynn, Mr. Sexton; Answers, The Chief Secretary *Aug.* 6, 555
Roche, Mr. Cecil, R.M., Questions, Mr. Flynn; Answers, The Chief Secretary *Aug.* 2, 171
Roman Catholic Magistrate at Antrim, Question, Mr. Tuite; Answer, The Chief Secretary *Aug.* 19, 1651

Medical Charities Acts—Medical Pensions, Question, Mr. Pickerton; Answer, The Chief Secretary *Aug.* 12, 1020
[*cont.*

KELLY, Mr. J. R., *Camberwell, N.*
London County Council Money (No. 2) Bill, Committee, 1865

KENNAWAY, Sir J. H., *Devon, Hinton*
Africa—Pemba and Zanzibar, Slavery in, 550

KENNY, Dr. J. E. *Cork, S.*
Army—Dr. Richard Nicholls, 1348
Canadian Mail Service, 1134
Ireland
Criminal Law and Procedure Act—Conybeare, Mr. 798, 903, 1129
M'Gee and Seyes, 1458, 1462
Derry Gaol—Sanitary Condition, 1031, 1458, 1462
Dublin Rates—Mr. Pilkington and a Defaulting Collector, 1342, 1343
General William Sankey, 551, 552
Lunacy, Inspector of, 551
Science and Art Department, 1645
Law and Justice and Police—Symons, Geo., Bodmin Gaol, 1458
Supply—British and Natural History Museums, 1408
Ireland—County Court Officers—Divisional Commissioners and Magistrates, 950; Report, 1450
Science and Art Department, 1392

KENNY, Mr. M. J., *Tyrone, Mid*
Ireland—Criminal Law and Procedure Act—Tanner, Dr. 61
Light Railways (Ireland) Bill Consideration, 1719
Supply—Ireland—Land Commission, 1801
Lord Lieutenant's Household, 1806, 1808

KENSINGTON, Lord
Intermediate Education (Wales) Bill, 2R. 446

KILBRIDE, Mr. D., *Kerry, S.*
Ireland—Magistracy—Mr. M'Dermott, R.M. 1221

KIMBER, Mr. H., *Wandsworth*
Light Railways (Ireland) Bill, Consideration, 1734

KNUTSFORD, Lord (Secretary of State for the Colonies)
Africa—Zululand—Native Chiefs, 873

LABOUCHERE, Mr. H., *Northampton*
Berlin, British Embassy at, 1657
Civil Service—Panton, Mr. C.—Conservative Registration Agents, 1337
Foreign Affairs—England and the Triple Alliance, 1658
Parliament—Business of the House—Supply, 1421
Sittings and Adjournments of the House, Res. 1503
Prince of Wales's Children Bill Committee, 133, 151, 154, 194, 199, 200, 203, 204, 212, 213, 215, 217, 218, 219; 3R. 333, 335, 336

[*cont.*

LABOUCHERE, Mr. H.—*cont.*
Political Placards in Post Offices, 70
Supply—British and Natural History Museums, 1407, 1419, 1582
Embassies and Missions Abroad, 1525, 1527, 1530, 1531, 1535, 1537, 1539, 1541, 1543 1547, 1568, 1569
Tithe Rent-charge Recovery Bill, 186, 1361; Order for Committee, 1052

Labour Statistics
Question, Mr. Bradlaugh; Answer, The President of the Board of Trade *Aug.* 1, 59

Labourers' Allotments Acts
Banbury Union, Questions, Mr. Cobb; Answers, The President of the Local Government Board *Aug.* 15, 1329

Broughal Charity Trustee, Question, Mr. J. Collings; Answer, Mr. J. W. Lowther *Aug.* 15, 1541

Westbourne Union, Sussex and Great Stoughton Labourers, Questions, Mr. Jesse Collings; Answers, The President of the Local Government Board, Mr. J. W. Lowther *Aug.* 15, 1340

LAFONE, Mr. A., *Southwark, Bermondsey*
Army—Island Bridge Barracks—4th Hussars, 1479

Land Charges (Ireland) Bill
l. 2R. Bill Withdrawn *Aug.* 25, 259 [Bill 118]

Law and Justice and Police
Brodie, William Wallace, and the Whitechapel Murder, Question, Mr. Pickersgill; Answer, The Under Secretary for the Home Department *Aug.* 6, 543

Criminal Appeal, Court of, Question, Observations, Lord Fitzgerald, Viscount Cross, The Lord Chancellor, Lord Herschell, Lord Denman, *Aug.* 15, 1297; Questions, Mr. F. Maclean; Answers, The First Lord of Treasury *Aug.* 9, 912

Hunter, Samuel, Case of, Questions, Mr. Howell; Answers, The Under Secretary for the Home Department *Aug.* 16, 1483

Jervis's Act, Questions, Mr. Ainslie; Answers, The Attorney General *Aug.* 8, 794

Lost Estate, Question, Mr. Atherley Jones; Answer, The Secretary to the Treasury *Aug.* 20, 1766

Maybrick Case, Questions, Mr. A. O'Connor; Answers, The Home Secretary *Aug.* 8, 799

Murphy, Case of, Question, Mr. Pickersgill; Answer, The Home Secretary *Aug.* 9, 908

Salvation Army—Whitchurch, Question, Mr. Pickersgill; Answer, The Home Secretary *Aug.* 15, 1336

Sessions Relief Act, Question, Mr. Swetenham; Answer, The Home Secretary *Aug.* 8, 778

[*cont.*

Law and Justice and Police—cont.
Statements by Prisoners, Question, Mr. Swetenham; Answer, The Home Secretary *Aug.* 8, 781
Symons, Geo.—Bodmin Gaol, Questions, Mr. T. M. Healy, Dr. Kenny; Answers, The Under Secretary for the Home Department, *Aug.* 16, 1457

LAWRENCE, Mr. W. F., *Liverpool Abercromby*
Supply—Public Education, 393

LAWSON, Sir W., *Cumberland, Cockermouth*
Egypt—Defeat of the Dervishes, 330

LAWSON, Mr. H. L. W., *St. Pancras, W.*
London County Council Money (No. 2) Bill, 2R. 981, 982, 987, 989
Parliament—Business of the House, 797
Sittings and Adjournments of the House, Res. 1508
Postmen, City, 181
Supply—National Gallery, 1513, 1518

LEA, Mr. T., *Londonderry, S.*
Expiring Laws Continuance Bill, 2R. 1511
Irish Sunday Closing Bill, 1768
Supply—Embassies and Missions Abroad, 1551

LEAMY, Mr. E., *Sligo, S.*
Supply—Ireland—Magistrates, 835, 836, 848

Leaseholders (Ireland) Bill
c. Considered in Committee and Reported *Aug.* 17, 1644
Considered; Read 3° and Passed *Aug.* 20, 1866 [Bill 179]

LEFEVRE, Right Hon. G. J. SHAW, *Bradford, Central*
Ireland—Criminal Law and Procedure Act—Tanner, Dr. Res. 115, 117
Ennis, "Bad Characters" in, 910
Evictions—Lord Clanricarde's Estate, 64, 547, 548
Prisons Vote, 1769
Supply
Ireland—Chief Secretary's Offices, &c. 1811, 1819, 1821
Land Commission, 1786, 1787, 1793
Royal Irish Constabulary, 615, 629

LEIGHTON, Mr. S., *Shropshire, Oswestry*
Australia (Western)—Responsible Government, 786
Cyprus—Gems and Relics, 54
Education—Voluntary Schools Accomodation—Luton, 322, 785
Supply—Public Education, 381, 386
Tithe Rent-charge Recovery Bill, 71; Committee, 1148, 1202, 1203, 1232; Order for Committee, 1498

LETHBRIDGE, Sir R., *Kensington, N.*
Council of India Bill, 2R. 245, 262
India—Bombay-Burma Trading Corporation, 1479
Crawford Case, 1479
Telegraph Department, 915
Kensington, Nuisance at, 1463, 1464
London County Council Money (No. 2) Bill, 2R. 986, 987
Supply—Indian Postal Facilities, 1625

LEWIS, Sir C. E., *Antrim, N.*
Supply—Ireland—Land Commission, 1793

LEWISHAM, Right Hon. Viscount (Vice-Chamberlain of the Household), *Lewisham*
Contagious Diseases (Animals) Act—Foot and Mouth Disease—Cattle imported from Holland, 1475, 1476
Pleuro-pneumonia, 534
Compensation for Slaughter, 1476
Importation of Cattle and Sheep, 325

Licensing Law
Manchester Brewster Sessions, Question, Mr. Maclure; Answer, The Home Secretary *Aug.* 13, 1133

Lighthouses and Lightships
Board of Trade Contracts—Bull Rock Lighthouse, Question, Mr. T. W. Russell; Answer, The President of the Board of Trade *Aug.* 12, 1014

Light Railways (Ireland) Bill
Standing Committee on Trade, Res. *Aug.* 1, 123
Privilege—Proceedings in the Committee *Aug.* 14, 1222
Considered; Read 3° and Passed *Aug.* 19, 1672

LIMERICK, Earl of
Electric Lighting Provisional Orders (No. 2) Bill, 3R. 1294
Electrical Lighting Provisional Orders (Metropolis) Inquiry, Res. 1313

Literature, Science, and Art
National Portrait Gallery, Question, Mr. Whitmore; Answer, The First Commissioner of Works *Aug.* 1, 51

LLEWELLYN, Mr. E. H., *Somerset, N.*
Parliament—Business of the House, 1033
Tithe Rent-charge Recovery Bill, Committee, 1232

Local Government Act
Borough Boundaries, Question, Mr. Isaacson; Answer, The President of the Local Government Board *Aug.* 8, 774; *Aug.* 16, 1465

[*cont.*

Local Government Act—cont.
County Councils
License Duties, Question, Baron Dimsdale; Answer, The Chancellor of the Exchequer *Aug.* 20, 1746
Northumberland, Questions, Mr. Burt; Answers, The President of the Local Government Board *Aug.* 16, 1484
County Electors, Question, Mr. T. Ellis; Answer, The President of the Local Government Board *Aug* 8, 790
Overhead Wires and Spiked Wire Fences, Questions, Sir G. Campbell; Answers, The President of the Local Government Board *Aug.* 8, 786; Questions, Sir G. Campbell; Answer, The President of the Local Government Board *Aug.* 15, 1341

LOCAL GOVERNMENT BOARD—President (*see* RITCHIE, Right Hon. C. T.)

LOCAL GOVERNMENT BOARD—Secretary to (*see* LONG, Mr. W. H.)

Local Government Board
Harrow Weald Drainage Scheme, Question, Mr. Cobb; Answer, The President of the Local Government Board *Aug.* 20, 1744
Local Rates, Aids to, Question, Mr. Isaacs; Answers, The President of the Local Government Board *Aug.* 6, 550
Movable Dwellings, Questions, Mr. Stephens; Answers, The President of the Local Government Board, The Vice President of the Council *Aug.* 8, 776
River Lea, Question, Sir J. Colomb; Answer, The President of the Local Government Board *Aug.* 2, 174; *Aug.* 9, 900
Typhoid Fever in the West-end of London, Questions, The Marquis of Granby, Mr. Isaacson; Answers, The President of the Local Government Board *Aug.* 20, 1747

Local Government (Scotland) Bill
The Burgh of Dysart, Question, Sir G. Campbell; Answer, The Lord Advocate *Aug.* 1, 63

Local Government (Scotland) Bill
l. Read 2ª and Committed to a Committee of the Whole House *Aug.* 1, 5 [Bill 179]
Considered in Committee *Aug.* 6, 447
Amendments Reported; Formal Amendments Made *Aug* 8, 722
Read 3ª* and Passed *Aug.* 9, 874
c. Lords' Amendments Considered and Agreed to *Aug.* 17, 1589 [Bill 374]

Local Registration of Title (Ireland) Bill.
c. 2R. Bill Withdrawn *Aug.* 19, 1740 [Bill 317]

Local Taxation Licenses
Issuing of by Post Offices, Question, Mr. D. Thomas; Answer, The Postmaster General 2, 178; Question, Colonel Anstruther; Answer, The President of the Local Government Board *Aug.* 8, 772

London County Council (Money) Bill
c. Order for 2R. Read and Discharged; Bill Withdrawn *Aug.* 6, 642 [Bill 356]

London County Council (Money) (No. 2) Bill
c. Read 1°* *Aug.* 6, 642 [Bill 367]
Read 2° *Aug.* 9, 981
Considered in Committee; Reported; Read 3°* and Passed *Aug.* 20, 1862

LORD ADVOCATE, The (*see* ROBERTSON, Right Hon. J. P. B.)

LORD LIEUTENANT OF IRELAND — Chief Secretary to the (*see* BALFOUR, Right Hon. A. J.)

LORD PRESIDENT OF THE COUNCIL (*see* CRANBROOK, Viscount)

LORD PRIVY SEAL (*see* CADOGAN, Earl)

LOTHIAN, Marquess of (Secretary for Scotland)
Judicial Factors (Scotland) Bill, 2R. 321
Local Government (Scotland) Bill, 2R. 5; Committee, 451, 456, 462, 464, 465, 466, 470, 471, 472, 474, 475, 476, 481, 484, 485, 488, 489, 490, 492, 493, 500, 503, 504, 506, 513, 515, 518, 519, 520, 521, 526, 528; Consideration, 722, 723, 725
Prevention of Cruelty to and Protection of Children Bill, Committee, 273, 319, 320
Universities (Scotland) Bill, 2R. 531; Committee, 726, 730, 731, 732, 733, 736, 739; Amendments Reported, 874

LOWTHER, Mr. J. W., *Cumberland, Penrith*
Broughal Charity Trustee, 1341
Denbighshire Charities, 1022
St. Katherine's Hospital—The Master, 768
Supply— Embassies and Missions Abroad, 1567
Ireland—Resident Magistrates, 919

LUBBOCK, Sir J., *London University*
Factors Bill, Consideration, 230, 231
Railway Classification, 548
Supply—Public Education, 377

Lunacy Acts Amendment Bill [Bill 9]
l. Returned from the Commons; Agreed to *Aug.* 1, 4
Commons' Amendments Considered *Aug.* 8, 721 [Bill 199]
Report from Committee Agreed to, &c. *Aug.* 8, 739
c. Message from the Lords *Aug.* 8, 766
Lords' Amendments Considered *Aug.* 12, 1035
l. Returned from the Commons with Amendments *Aug.* 12, 1008 [Bill 109]

Lunacy Bill
l. Presented; Read 1ª* *Aug.* 15, 1289 [Bill 226]

MCARTHUR, Mr. W. A., *Cornwall Mid, St. Austell*
Australia (Western)—Constitution Bill, 76
Pearl Fisheries, 545
Ireland—Criminal Law and Procedure Act—Conybeare, Mr. 799, 903, 904, 1458, 1461, 1650; Res. 1669
Prisons—Derry Gaol, 1141
Morocco—International Conference and Consular Courts, 176
Newfoundland—St. Pierre et Miquelon and the French Government, 176
Parliament—Business of the House—Supply, 1421
Supply—Embassies and Missions Abroad, 1547

MACARTNEY, Mr. W. G. E., *Antrim, S.*
Ireland—Fair Rents—Newry, 1467
Moonlighting at Kanturk, 1339
Light Railways (Ireland) Bill, Standing Committee on Trade, Res. 132
Postal Orders—Designs, 1662

MCCARTAN, Mr. M., *Down, S.*
Ireland—Derry Gaol, 1759
Downpatrick Gaol, 1750
Land Commission, 1655, 1762
M'Donald, Head Constable, 1746
Newcastle Harbour, 1745
Police Reports, 54
Revising Barristers, 1652
Parliament—Members of (Charges and Allegations)—Special Commission—Witness Tracy, 1654
Supply—Ireland—Land Commission, 1794

MCCARTHY, Mr. JUSTIN, *Londonderry*
Canadian Mails, 56
Customs—Liverpool Officers, 771
Ireland—Limavady Savings Bank, 1009, 1333
Londonderry Gaol, 1010
Navy—Shipbuilding on the Foyle, 63

MCDONALD, Dr. R., *Ross and Cromarty*
Scotland—Assault at Dingwall, 1014
Supply—Scotland—Public Education, 1280, 1370

MACDONALD, Mr. W. A., *Queen's Co., Ossory*
Ireland—Criminal Law and Procedure Act—Conybeare, Mr. 1129
[*cont.*

MACDONALD, Mr. W. A.—*cont.*
Supply—Ireland—Chief Secretary's Offices, &c. 1838
Royal Irish Constabulary, 653

MCKENNA, Sir J. N., *Monaghan, S.*
Light Railways (Ireland) Bill, Consideration, 1690, 1707

MCLAREN, Mr. W. S. B., *Cheshire, Crewe*
Prince of Wales's Children Bill, Committee, 206, 209, 217
Regulation of Railways (No. 2) Bill, 2R. 227

MACLEAN, Mr. F. W., *Oxford, Woodstock*
Court of Criminal Appeal, 912
Wooler Churchyard, 894

MACLEAN, Mr. J. M., *Oldham*
India—Factory Labour, 1663

MACLURE, Mr. J. W., *Lancashire, S.E., Stretford*
Licensing Law—Manchester Brewster Sessions, 1133

MACNAGHTEN, Lord
Settled Lands Act Amendment Bill, 2R. 163

MAC NEILL, Mr. J. G. S., *Donegal, S.*
Colony of St. Vincent, 49
Council of India Bill, 2R. 240, 241, 242, 245, 252, 261
Ireland—Clangorey Estate, 1650
Criminal Law and Procedure Act
Conybeare, Mr. 533, 798, 799, 902, 914, 1023, 1128, 1669
Prisoners and the Press, 905
Stephens, Father, 913
Tanner, Dr. 61
Treatment of Members—Whitewashed Cells, 66
Derry Goal—Sanitary Condition, 1032, 1481, 1482, 1749, 1759
Donegal, S.—Seizure for Rent, 538, 791
Evictions—Abbeyfeale, 785
Battering Ram—Donegal, 185, 330
Markets, Constables bidding at, 1652
Parliament, Members of (Charges and Allegations)—The Special Commission—Witness Tracy, 1653
Supply
Ireland—Chief Secretary's Offices, &c. 1826, 1827
County Court Officers—Divisional Commissioners and Magistrates, 955; Report, 1434, 1435
Land Commission, 1791, 1800
Lord Lieutenant's Household, 1803, 1808
Royal Irish Constabulary, 565, 629, 630, 633, 635

MADDEN, Mr. D. H. (Solicitor General for Ireland), *Dublin University*
Ireland
Criminal Law and Procedure Act
Tanner, Dr. 61, 1760; Res. 84, 85, 86, 87
Treatment of Prisoners—Whitewashed Cells, 327
[*cont.*

MADDEN, Mr. D. H.—*cont.*
Evictions—Battering Ram—Donegal, 330
Lord Clanricarde's Estate, 328
Land Acts—Drapers' Company Estates, 323
Land Commission—New Rules, 1655, 1762
Sub-Commission—Mohill, 1751
Law and Justice and Police
Barry, T., Case of, 1648
Green Street Courthouse, 1334
Shine, Timothy—Alleged Police Conspiracy, 1763
Statute of Edward III. 1651
Walsh, Michael, 1756
Magistracy—Byrne, Mr. J. 898
Hauratly, Mr., J.P.—Crossuaglen, 1757
M'Dermott, Mr. R. M. 1221
Prisons—Derry Gaol, 1749, 1760; Death of M'Gee, 1221
Downpatrick Goal, 1750
Royal Irish Constabulary—Head Constable M'Donald, 1746
Judicial Rents (Ireland) Bill, Res. 652
Leaseholders' (Ireland) Bill, Consideration, 1866
Light Railways (Ireland) Bill, Consideration, 1689, 1690, 1691, 1693, 1694, 1699, 1702, 1711, 1716, 1720, 1721, 1723, 1737, 1738, 1739
Suck Drainage Bill, Res. 1740, 1741
Supply—Ireland—Resident Magistrates, 932, 936, 937, 979

Magistracy (Ireland)
Motion for Return *Aug.* 15, 1319

MAHONY, Mr. P., *Meath, N.*
Ireland—Fair Rents—Olphert Estate, 170
Fenit Pier, 58, 543, 545
Law and Justice and Police—Fitzsimons, Margaret, and Duties of the Police, 1471
Royal Dublin Society, 1471
Post Office—Brighton—Non-delivery of Telegram, 1026
Suck Drainage Bill, Res. 748
Supply—Ireland—Resident Magistrates, 975
Royal Irish Constabulary, 852, 859, 860

MALTA
Disturbance at Robato—Conduct of the Military, Question, Mr. Bradlaugh; Answer, The Secretary for War *Aug.* 12, 1012

Maritime International Conference
Question, Mr. Gourley; Answer, The President of the Board of Trade *Aug.* 1, 60; Question, Mr. Channing; Answer, The Under Secretary for Foreign Affairs *Aug.* 12, 1021

MARJORIBANKS, Right Hon. E., *Berwickshire*
Parliament—Business of the House, 1217
Sea Fisheries (Scotland) Regulation Bill, 2R. 1450
Scotland—Crown Rights to Salmon Fishings, 1353
Fishery Board, 1332
Supply—Public Education, 648
Scotland—Public Education, 1374

Marriages (Basutoland, &c.) Bill
c. As Amended Considered *Aug.* 1, 157
Read 3ª* and Passed *Aug.* 2, 231 [Bill 352]
l. Returned from Commons, Agreed to *Aug.* 5, 269 [Bill 155]
Commons' Amendment Considered and Agreed to *Aug.* 8, 739
Royal Assent *Aug.* 12, 993

MARUM, Mr. E. M., *Kilkenny, N.*
Light Railways (Ireland) Bill, Consideration, 1719

MATHER, Mr. W., *Lancashire, Gorton*
Supply—Public Education, 394, 395
Technical Instruction Bill, 2R. 1251, 1253

MATTHEWS, Right Hon. H. (Secretary of State for the Home Department), *Birmingham, E.*
Building Societies—Starr Bowkett, 901
Burial Grounds—Bow Cemetery—Common Graves, 177
Wooler Churchyard, 894
Cab Owners—Excise Licenses, 325
Cruelty to Animals Act—Rabbit Coursing, 906
Factories Act—Inspectorships—Mr. G. Bateman, 1320
Law and Justice and Police
Maybrick Case, 799
Murphy, Case of, 909
Salvation Army—Whitchurch, 1336
Sessions Relief Act, 778
Statements by Prisoners, 781
Licensing Law—Manchester Brewster Sessions, 1133
Metropolis—Omnibus Horses, 907
Socialist Meetings, 173
Metropolitan Police—Shoreditch Vestry Meeting, 183
Turin Street Board School, 773
Mines—Inspectors' Reports, 1135
Post Office—Dublin—Opening of Letters, 1351
Prince of Wales's Children Bill, Committee, 140
Prisons—Lady Visitors, 776
Tithe Rent-charge Recovery Bill, Order for Committee, 1042, 1043, 1047, 1053, 1057; Committee, 1162, 1163, 1166, 1171, 1181, 1182, 1184, 1185, 1188, 1189, 1204, 1205, 1208, 1209, 1214
Vaccination Acts—Prosecution of J. H. Matthews, 1759

MAXWELL, Sir H. E. (A Lord of the Treasury), *Wigton*
Government Contractors and Workmen, 769
Post Office—Woolwich, 894
Supply—Superannuation and other Allowances 1598
Westminster Hall, 791, 897

Medical Act (1886) Amendment Bill
c. Bill Withdrawn *Aug.* 8, 872 [Bill 227]

Medical Practitioners (*Great Britain and Switzerland*)
c. Address for Copy of Correspondence *Aug.* 16, 1498

Medical Practitioners, Unqualified
Question, Mr. Causton; Answer, The President of the Local Government Board *Aug.* 16, 1470

Merchandize Marks Act
Colonies, Question, Mr. Mundella; Answer, The Under Secretary for the Colonies *Aug.* 9, 912

Merchant Shipping
Colour Blindness among Seamen, Questions, Dr. Farquharson; Answers, The President of the Board of Trade *Aug.* 2, 171

International Maritime Conference, Question, Mr. Gourley; Answer, The President of the Board of Trade *Aug.* 1, 60; Questions, Mr. Channing; Answers, The Under Secretary for Foreign Affairs *Aug.* 12, 1021

United States—Consular Charges, Question, Mr. O. V. Morgan; Answer, The Under Secretary for Foreign Affairs *Aug.* 15, 1326

Merchant Shipping Acts Amendment Bill
l. Read 2ª and Committed to Standing Committee for Bills Relating to Law, &c. *Aug.* 2, 161 [Bill 191]
Reported; Re-Committed to Committee of the Whole House *Aug.* 6, 425
Committee on Re-Commitment; Report *Aug.* 9, 873
Read 3ª* and Passed *Aug.* 12, 1008
c. Lords' Amendment Considered and Agreed to *Aug.* 15, 1319 [Bill 339]

Merchant Shipping (Pilotage) Bill
c. As Amended Considered *Aug.* 17, 1048 [Bill 312]

Merchant Shipping (*Pilotage*) *Bill*
Question, Mr. W. Sinclair; Answer, The First Lord of the Treasury *Aug.* 2, 186

Merchant Shipping (Tonnage) Bill
l. House in Committee on Re-Commitment; Reported *Aug.* 2, 168 [Bill 174]
Read 3ª and Passed *Aug.* 6, 531
Returned from Commons with Amendments Agreed to *Aug.* 15, 1289

Merchant Shipping (*Tonnage*) *Bill*
Question, Mr. Sexton; Answer, The President of the Board of Trade *Aug.* 6, 540

Metropolis
Kensington, Nuisance at, Question, Sir R. Lethbridge; Answer, The Under Secretary for the Home Department *Aug.* 16, 1463

Metropolis—cont.
Omnibus Horses, Questions, Mr. P. Fitzgerald, Mr. O'Hanlan; Answers, The Home Secretary *Aug.* 9, 907

Socialists Meetings, Question, Mr. C. Graham; Answer, The Home Secretary *Aug.* 2, 173

Typhoid Fever in the West-end, Questions, The Marquess of Granby, Mr. Isaacson; Answers, The President of the Board of Trade *Aug.* 20, 1747

Whitechapel Murder, Question, Mr. Pickersgill; Answer, The Under Secretary for the Home Department *Aug.* 6, 543

Metropolitan Police
Shoreditch Vestry Meeting, Questions, Mr. J. Stuart; Answers, The Home Secretary *Aug.* 2, 183

Turin Street Board School, Questions, Mr. Pickersgill; Answers, The Home Secretary *Aug.* 8, 773

MILLTOWN, Earl of
Army—Commissions—Artillery and Royal Engineers, 425
Prevention of Cruelty to and Protection of Children Bill, Committee, 274, 279, 293, 300, 306, 309, 310, 311, 315; Consideration, 715, 716, 718, 720

Mines
Inspectors' Reports, Questions, Mr. Fenwick, Mr. Howell; Answers, The Home Secretary *Aug.* 13, 1135

Mining Rents and Royalties
Commission, Questions, Mr. Fenwick, Mr. Oldroyd; Answer, The First Lord of the Treasury *Aug.* 15, 1354

MINTO, Earl of
Local Government (Scotland) Bill, 2R. 35; Committee, 447, 452, 462, 463, 464, 465, 470, 471, 485, 489, 493, 499

MOLLOY, Mr. B. C., *King's Co., Birr*
Regulation of Railways (No. 2) Bill, 2R. 226
Supply — British and Natural History Museums, 1412
Embassies and Missions Abroad, 1532, 1533 1534, 1551
Ireland—Hospitals and Infirmaries, 1602
Pauper Lunatics, 1601
Public Education, 386

MONTAGU, Mr. S., *Tower Hamlets, Whitechapel*
Coinage (Light Gold) Bill, Committee, 1216

MONTROSE, Duke of
Local Government (Scotland) Bill, Committee, 495, 502, 510

[*cont.*

MORGAN, Right Hon. G. O., *Denbighshire, E.*
Light Railways (Ireland) Bill, Standing Committee on Trade, Res. 126, 127, 130
Parliament—Business of the House, 796
Sittings and Adjournments of the House, Res. 1502
Prince of Wales's Children Bill, 3R. 335
Tithe Rent-Charge Recovery Bill, 71, 1359; Order of Committee, 1050, 1083, 1495; Committee, 1151, 1152, 1159, 1164, 1168, 1177, 1198, 1211, 1235

MORGAN, Mr. L., *Carmarthen*
Tithe Rent-charge Recovery Bill, Committee, 1156, 1183

MORGAN, Mr. O. V., *Battersea*
Australia (Western)—Governorship, 1020
Post Office Savings Banks and Government Stocks, 180, 896
United States—Consular Charges, 1326

MORGAN, Mr. W. PRITCHARD, *Merthyr Tydvil*
Tithe Rent-charge Recovery Bill, Committee' 1209, 1210

MORLEY, Earl of
Parliament—Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod—Second Report from Select Committee, Consideration, 1295
Private Bill (Alteration of Memorandum of Association), Consideration of Select Committee's Report, 1292
Universities (Scotland) Bill, Committee, 732

MORLEY, Right Hon. J., *Newcastle-upon-Tyne*
Parliament—Business of the House, 73

MOROCCO
Alleged Outrage, Question, Mr. Newnes; Answer, The Under Secretary for the Colonies *Aug.* 8, 793
International Conference and Consular Courts, Question, Mr. Wm. M'Arthur; Answer, The Under Secretary for Foreign Affairs *Aug.* 2, 176

Movable Dwellings Bill
c. Considered in Committee, R.P. *Aug.* 2, 263 [Bill 316]

MOWBRAY, Right Hon. Sir J. R., *Oxford University*
Supply—Universities and Colleges, 1524

MUNDELLA, Right Hon. A. J., *Sheffield, Brightside*
Christ's Hospital, 542
Colonies—Merchandize Marks Act, 912
Parliament—Business of the House, 797
[*cont.*

MUNDELLA, Right Hon. A. J.—*cont.*
Prevention of Cruelty to and Protection of Children Bill, Res. 1035
Regulation of Railways (No. 2) Bill, Committee, 424
Supply—Public Education, 357, 406, 411, 412, 413, 416, 417, 421
Technical Instruction Bill, 2R. 991

MURPHY, Mr. W. M., *Dublin, St. Patrick's*
Ireland—Phœnix Park, Band in, 1752
Tallaght—Police and Private Meetings 1134
Light Railways (Ireland) Bill, Consideration, 1697
Parliament—Business of the House, 914
Standing Orders Relating to Private Bills, Res. 1314, 1315, 1316
Public Works Loan Bill, 2R. 1512
Regulation of Railways (No. 2) Bill, Committee, 423, 424, 639, 641
Supply—Ireland—Hospitals and Infirmaries 1601
National Gallery, 1516
Tithe Rent-charge Recovery Bill, Committee, 1237

NAPIER AND ETTRICK, Lord
Local Government (Scotland) Bill, Committee, 452, 456, 461, 476, 482, 486, 487
Universities (Scotland) Bill, Committee, 731, 732

NAVY
Administration, Question, Sir W. Barttelot; Answer, the First Lord of the Treasury *Aug.* 1, 70

Chief Engineers and Accountants, Question, Sir J. Colomb; Answer, The First Lord of the Admiralty *Aug.* 8, 767

Contracts—Shipbuilding, "The Blenheim," Question, Mr. Bradlaugh; Answer, The First Lord of the Admiralty *Aug.* 1, 60

Guns in Barbette, Disabling, Question, Colonel Nolan; Answer, The First Lord of the Admiralty *Aug.* 8, 779

Lieutenants, Question, Sir J. Colomb; Answer, The First Lord of the Admiralty *Aug.* 12, 1030

Manœuvres—Military Forces, Questions, Mr. Tomlinson, Mr. Cossham; Answer, The Secretary of War *Aug.* 2, 179

Publication of Information by the Press, Question, Sir J. Colomb; Answer, The First Lord of the Admiralty *Aug.* 15, 1353

Reserve Drill Battery—Belfast, Question, Sir J. Corry; Answer, the First Lord of the Admiralty *Aug.* 15, 1343

Review, Question, Mr. Hanbury; Answer, The First Lord of the Admiralty *Aug.* 1, 64

The Press, Questions, Mr. T. W. Russell; Answer, The First Lord of the Admiralty *Aug.* 8, 792
[*cont.*

NAVY—*cont.*
Ships—Belted Cruisers, Question, Admiral Field; Answer, the First Lord of the Admiralty *Aug.* 16, 1466
Decoration by Officers at their own Expense, Questions, Colonel Nolan; Answers, The First Lord of the Admiralty *Aug.* 15, 1324
H.M.S. "Medea," H.M.S. "Victoria," Question, Mr. Hanbury; Answer, The First Lord of the Admiralty *Aug.* 1, 69
H.M.S. "Rodney," H.M.S. "Elk," Question, Mr. Gourley; Answer, The First Lord of the Admiralty *Aug.* 1, 53
H.M.S. "Sultan," Question, Mr. Isaacson; Answer, The First Lord of the Admiralty *Aug.* 8, 779; Questions, Mr. E. Robertson; Answers, The First Lord of the Admiralty, Mr. Speaker *Aug.* 8, 793; Questions, Mr. E. Robertson, Mr. H. Cossham; Answers, The First Lord of the Admiralty *Aug.* 9, 908; Questions, Mr. Ballantine, Mr. Cobb, Mr. H. Cossham, Mr. E. Robertson, Mr. Bradlaugh; Answers, The First Lord of the Admiralty, The First Lord of the Treasury *Aug.* 20, 1752
Line of Battle Ships, Questions, Sir J. J. Colomb; Answers, The First Lord of the Admiralty, *Aug.* 15, 1332
Shipbuilding on the Foyle, Questions, Mr. T. M'Carthy; Answers, The First Lord of the Admiralty *Aug.* 1, 63
Training Ships, Question, Mr. Round; Answer, The Secretary to the Admiralty *Aug.* 13, 1124

NEWFOUNDLAND
St. Pierre et Miquelon and the French Government, Question, Mr. W. M'Arthur; Answer, The Under Secretary for Foreign Affairs *Aug.* 2, 176

NEWNES, Mr., *Cambridge, Newmarket*
Morocco—Alleged Outrage, 793
Tithe Rent-charge Recovery Bill, Order for Committee, 1009

NOBLE, Mr. W., *Hastings*
Ireland—Criminal Law and Procedure Act—Tanner, Dr., R. 117

NOLAN, Colonel J. P., *Galway, N.*
Army—Disabling Guns, 540
Estimates—Half-pay and Retired-pay, 1119, 1120
Ireland—Criminal Law and Procedure Act—Tanner, Dr., 1027
Light Railways (Ireland) Bill, Standing Committee on Trade, Res. 126, 127, 128, 129; Consideration, 1707, 1713, 1717, 1718, 1725, 1735
Navy—Guns in Barbette, Disabling, 779
Ships' Decorations by Officers, 1324
Parliament—Sittings and Adjournment of the House, Res. 1504, 1507
Suck Drainage Bill, Res. 743, 750; Consideration, 757, 762, 3R. 763

NOLAN, Mr. J., *Louth, N.*
Ireland—Fair Rents—Dronin, 1321
Labourers' Dwellings, 1126
Sub-Commission, 1126

NORTHCOTE, Hon. Sir H. STAFFORD, *Exeter*
Supply—Post Office, 1626

NORTON, Lord
Intermediate Education (Wales) Bill, 2R. 431
Poor Law Bill, 2R. 164, 166
Prevention of Cruelty to and Protection of Children Bill, Committee, 275, 278, 303, 305

NORTON, Mr. R., *Kent, Tunbridge*
Friendly Societies—Select Committee, 795

O'BRIEN, Mr. J. F. X., *Mayo S.*
Parliament, Members of (Charges and Allegations)—The Special Commission—Witness Tracy, 1653

O'BRIEN, Mr. P., *Monaghan N.*
Ireland—Fair Rents—Templeton and Hope Estates, 1473, 1655
Ulster Canal, 1663

O'BRIEN, Mr. P. J., *Tipperary, N.*
Ireland—Post Office, Kilruane, 782
Supply—Ireland—Magistrates, 827

O'BRIEN, Mr. W.
Ireland—Criminal Law and Procedure Act—Tanner, Dr. 61; Res. 108, 109, 114

O'CONNOR, Mr. A., *Donegal, E.*
Coinage (Light Gold) Bill, Committee, 1238, 1239, 1240, 1242, 1245, 1247
Ireland—Criminal Law and Procedure Act—Tanner, Dr. 1029
Land Cases from Stranorlar, 911
Ulster Canal, 1664
Law and Justice and Police—Maybrick Case 799, 800
Light Railways (Ireland) Bill, Standing Committee on Trade, Res. 133; Consideration, 1714, 1715, 1720
Supply—Ireland—Chief Secretary's Offices, 1841
Tithe Rent charge Recovery Bill, Committee 1234

O'DOHERTY, Mr. J. E., *Donegal, N.*
Bury Corporation Bill, 3R. 892
Ireland—Loan Fund Boards, 64
Criminal Law and Procedure Act—Cost of Defending Prisoners, 783
Prisoner's Order, 909
Section 14, 1021
Light Railways (Ireland) Bill, Consideration, 1701, 1703
Post Office—Circulars—Orders for Goods, &c. 1352

[*cont.*

O'Doherty, Mr. J. E.—*cont.*
Supply
British and Natural History Museums, 1418
Ireland—Land Commission, 1797
Resident Magistrates, 980, 981
Royal Irish Constabulary, 865
Post Office, 1633
Scotland—Public Education, 1283

Official Secrets Bill

l. Reported and Re-committed to a Committee of the Whole House *Aug.* 12, 1008 [Bill 112]
Considered in Committee and Reported *Aug.* 15, 1295
Read 3ª; Further Amendments Made; Bill Passed *Aug.* 16, 1454

O'Hanlon, Mr. T., *Cavan, E.*
Ireland—Hauratly, Mr. J. P.—Crossnaglen, 1757
Law and Justice and Police—Sherlock, Mr. —Payment of Witnesses, 1464
Light Railways, 793, 1130
Post Office—Newcastle, 1465
Omnibus and Tramway Companies, 907
Supply—British and Natural History Museums, 1416

O'Hea, Mr. P., *Donegal, W.*
Supply—Royal Irish Constabulary, 592, 593

O'Keeffe, Mr. F. A., *Limerick City*
Ireland—Diseased Cattle, 539
Lunatic Asylums, Governors of, 1659
Prison Treatment—Whitewashed Cells, 327
Shannon Drainage—Fisheries, 326
Railway Regulations Bill, 550
Supply—Royal Irish Constabulary, 683

Oldroyd, Mr., *Dewsbury*
Mining Rents and Royalties — Commission, 1354

Paget, Sir R. H., *Somerset, Wells*
Lard, Adulterated, 766
Railways—Rates, Charges, and Classification, 770, 771

Palatine Court of Durham Bill

l. Commons' Amendments Considered and Agreed to with Amendments *Aug.* 15, 1295 [Bill 71]
c. Lords' Amendments Considered and Agreed to *Aug.* 16, 1487
l. Returned from Commons with Amendments Agreed to *Aug.* 16, 1453

Parker, Mr. C. S., *Perth*
Supply—Scotland—Public Education, 1366, 1370

Parliament

LORDS
Committee of Selections for Standing Committees, Additions, *Aug.* 2, 169; *Aug.* 5, 321; *Aug.* 6, 425

Business of the House, Motion for Suspension of Standing Order, No. 33 *Aug.* 15, 1290

Sittings and Adjournments of the House, Motion for Adjournment *Aug.* 12, 1008

Fees of the House, Table of, Ordered *Aug.* 15, 1289; Laid upon the Table *Aug.* 16, 1454

Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod, Second Report from Select Committee *Aug.* 8, 713; Considered and Agreed to *Aug.* 15, 1295

Parliamentary Agents, Rules *Aug.* 2, 161

Private Bills (*Alteration of Memorandum of Association*), Report from Select Committee *Aug.* 12, 993; Considered *Aug.* 15, 1291

Private Bills, Standing Orders Considered and Amended *Aug.* 6, 427

COMMONS
Business of the House and Public Business, Questions, Mr. J. E. Ellis, Mr. J. Morley, Mr. H. H. Fowler, Mr. Causton, Mr. Storey, Mr. Gardner; Answers, The First Lord of the Treasury, The Chief Secretary for Ireland *Aug.* 1, 72; Questions, Sir G. Campbell, Mr. Causton; Answers, The First Lord of the Treasury *Aug.* 1, 76; Questions, Mr. Phillips, Mr. J. Rowlands, Dr. Farquharson; Answers, The First Lord of the Treasury, The President of the Local Government Board *Aug.* 5, 329; Questions, Mr. S. Hill, Mr. S. Lefevre, Mr. Storey, Mr. Causton, Sir W. Foster; Answers, The First Lord of the Treasury, The Chief Secretary *Aug.* 6, 553; Questions, Mr. Salt, Mr. H. Gardner, Mr. G. O. Morgan, Mr. Sexton, Mr. S. Hill, Mr. C. W. Gray, Sir G. Campbell, Mr. Lawson, Mr. Mundella; Answers, The First Lord of the Treasury, The Secretary to the Treasury *Aug.* 8, 795; Questions, Mr. W. M. Murphy, Dr. Farquharson, Mr. T. M. Healy, Mr. T. E. Ellis, Mr. Channing, Mr. Cossham, Mr. Pickersgill; Answers, The Chief Secretary for Ireland, The President of the Local Governemnt Board, The First Lord of the Treasury, The Secretary to the Treasury *Aug.* 9, 914; Questions, Mr. E. Robertson, Sir G. Campbell, Mr. Storey, Mr. T. W. Russell, Mr. W. Redmond, Mr. Llewellyn; Answers, The First Lord of the Treasury *Aug.* 12, 1032; Questions, Mr. T. M. Healy, Sir G. Campbell, Mr. Majoribanks; Answers, The Secretary to the Treasury *Aug.* 13, 1217; Questions, Mr. Sexton, Sir R. Fowler, Mr. T. M. Healy; Answers, The First Lord of the Treasury, The Chief Secretary *Aug.* 14, 1288; Observations, Mr. W. M'Arthur, Mr. Labouchere, Mr. H. H. Fowler, Sir R. Fowler, Mr. Channing, The First Lord of the Treasury *Aug.* 15, 1421; Questions,

[*cont.*

PARLIAMENT—COMMONS—*Business of the House and Public Business*—cont.
Mr. G. Howell, Mr. Sexton; Mr. E. Robertson, Mr. B. Reed; Answer, the First Lord of the Treasury *Aug.* 16, 1499; Questions, Mr. Phillips, Dr. Clark; Answers, The First Lord of the Treasury *Aug.* 19, 1661; Questions, Mr. Broadhurst, Mr. J. Rowlands; Answers, The First Lord of the Treasury *Aug.* 19, 1670; Questions, Mr. S. Lefevre, Mr. Sexton; Answers, The Chief Secretary *Aug.* 20, 1769; Questions, Mr. H. H. Fowler, Mr. Dillwyn, Sir G. Campbell, Mr. Cossham, Mr. Sexton, Mr. T. M. Healy; Answers, The First Lord of the Treasury *Aug.* 20, 1824

Divisions of the House, Return Ordered *Aug.* 8, 765

Private Bills, Returns Ordered *Aug.* 8, 871

Private Bills (*Alteration of Memorandum of Association*), Lords Message Considered; Ordered as to Select Committee *Aug.* 2, 267

Public Bills, Return Ordered *Aug.* 8, 765

Public Petitions Committee, Sixteenth Report *Aug.* 1, 78; Seventeenth Report *Aug.* 8, 764

Public Petitions, Return Ordered *Aug.* 8, 765

Publication of Acts of Parliament, Question, Viscount Wolmer; Answer, The Secretary to the Treasury *Aug.* 20, 1756

Rules and Orders of Debate (*See* Mr. Speaker's Rulings)

Select Committees, Return Ordered *Aug.* 8, 765

Select Committee on Hop Industry, Nominated *Aug.* 2, 187

Sittings and Adjournments of the House, Res. *Aug.* 16, 1499

Autumn Session, Questions, Sir G. Campbell; Answers, The First Lord of the Treasury *Aug.* 16, 1486

Sittings of the House (*Exemption from Standing Order*) Motion, *Aug.* 19, 1671

Sittings of the House, Return Ordered *Aug.* 8, 765

Standing Committee on Trade, Res. *Aug.* 1, 123

Standing Orders Relating to Private Bills, Motion for Alterations *Aug.* 15, 1313

Standing Order 25 (*Closure of Debate*), Return Ordered *Aug.* 7, 653

New Writ

Aug. 6—For Belfast (Northern Division), in the room of Sir Wm. Ewart, Bart., deceased, 556

New Member Sworn

Aug. 16—Sir Edward James Harland, Baronet, for the City of Belfast (Northern Division)

PARLIAMENT—COMMONS—*cont.*

PRIVILEGE

Standing Committee on Trade and Light Railways (*Ireland*) *Bill Aug.* 14, 1222

Members of (*Charges and Allegations*)—*The Special Commission — Convict Witness Tracy*, Questions, Mr. J. F. X. O'Brien, Mr. Mac Neill; Mr. M'Cartan; Answer, The Chief Secretary *Aug.* 19, 1653; *British Museum Officials*, Questions, Mr. T. M. Healy; Answers, The Secretary to the Treasury *Aug.* 19, 1654

PALACE OF WESTMINSTER

House of Commons—Admission of Strangers, Question, Mr. H. H. Fowler; Answer, The First Lord of the Treasury *Aug.* 1, 74

Westminster Hall, Question, Mr. C. Bentinck; Answer, A Lord of the Treasury *Aug.* 8, 791; Questions, Mr. De Lisle, Mr. Roe; Answers, Sir H. Maxwell *Aug.* 9, 897

PARNELL, Mr. C. S., *Cork*
Ireland—Criminal Law and Procedure Act—Tanner, Dr. 1029

Passengers Acts Amendment Bill
l. Returned from the Commons Agreed to *Aug.* 1, 4 [Bill 100]
Royal Assent *Aug.* 12, 993

Paymaster General Bill
c. Considered in Committee and Reported; Read 3° * and Passed *Aug.* 2, 219 [Bill 348]
l. Read 1ª * *Aug.* 5, 269 [Bill 208]
Read 2ª * and Committed to Committee of Whole House *Aug.* 8, 715
Considered in Committee *Aug.* 12, 1008
Amendment Reported *Aug.* 15, 1295
Read 3ª * and Passed *Aug.* 16, 1454

PEASE, Mr. A. E., *York*
Jamaica—Sugar Cultivation, 537
Supply—Ireland—Magistrates, 803, 804, 807, 837, 840, 975

PEEL, Right Hon. A. W. (*see* SPEAKER, The)

PELLY, General Sir L., *Hackney, N.*
Council of India Bill, 2R. 238

Persia
Shah's Visit to England, Question, Mr. Pickersgill; Answer, The Under Secretary for Foreign Affairs *Aug.* 6, 538

PHILIPPS, Mr. J. W., *Lanark, Mid*
Light Railways (Ireland) Bill, Standing Committee on Trade, Res. 132; Consideration, 1696, 1697, 1707, 1710, 1721, 1728, 1735
Parliament—Business of the House, 329
Scotch Estimates, 1661
Prince of Wales's Children Bill, 3R. 341, 343, 344
Regulation of Railways (No. 2) Bill, 2R. 220

PHILIPPS, Mr. J. W.—*cont.*
Scotland—Blantyre Roman Catholic School, 537
Suck Drainage Bill, Res. 745, 752, 753, 760; 3R. 764
Tithe Rent-charge Recovery Bill, Committee, 1180, 1207

PICKERSGILL, Mr. E. H., *Bethnal Green, S.W.*
Civil Establishments—Treasury Minute, 1354
Law and Justice and Police—Murphy, Case of, 908
Parliament—Business of the House, 915
Post Office—Sorters—Sunday Duty, 543
Prisons—Lady Visitors, 776
Salvation Army—Whitchurch, 1336
Shah's Visit, 538
Turin Street Board School and the Police, 773
Whitechapel Murders—Wm. Wallace Brodie, 543

PICTON, Mr. J. A., *Leicester*
Ireland—Criminal Law and Procedure Act—Conybeare, Mr., Res. 1670
Parliament—Sittings and Adjournments of the House, Res. 1506
Supply—Embassies and Missions abroad, 1544, 1545

PINKERTON, Mr. J., *Galway*
Ireland—Medical Pensions, 1020
Light Railways (Ireland) Bill, Consideration, 1705, 1706

PLOWDEN, Sir W. C., *Wolverhampton, W.*
Council of India Bill, 2R. 254, 255, 256

PLUNKET, Right Hon. D. R. (First Commissioner of Works) *Dublin University*
Government Offices—Foreign Matches, 52
National Portrait Gallery, 51

Police and Sanitary Regulations Bill
c. Special Report of Select Committee *Aug.* 13, 1219

Police (*Cost*)
c. Address for Return *Aug.* 5, 331

Police Forces (*Superannuation Funds*)
Address for Return Ordered *Aug.* 15, 1450

Poor Law
Election of Guardians at Lowestoft, Question, Mr. Broadhurst; Answer, The President of the Local Government Board *Aug.* 19, 1645

Poor Law Bill
l. Read 2ª and Committed to Committee of the Whole House *Aug.* 2, 163 [Bill 195]
Considered in Committee *Aug.* 8, 713
Amendment, Reported; Further Amendments Made *Aug.* 15, 1295
Read 3ª*; Further Amendments Made; Bill Passed *Aug.* 16, 1454

Poor Rates, &c. (*Scotland*)
c. Order for Return *Aug.* 20, 1741

Poor Relief (*England and Wales*)
Return Ordered and Presented *Aug*, 13, 1219

Portugal
Portuguese Riots at Demerara, Question, Admiral Field; Answer, The Under Secretary for the Colonies *Aug.* 19, 1656

POST OFFICE
Appointments, Question, Mr. Bradlaugh; Answer, The Postmaster General *Aug.* 9, 905

Canadian Mail Service, Question, Mr. J. M'Carthy; Answer, The Under Secretary for the Colonies *Aug.* 1, 56; Questions, Dr. Kenny; Answers, The Postmaster General *Aug.* 13, 1134

Canadian Pacific Railway Company—Contract, Motion *Aug.* 16, 1584

Canadian Pacific Route—China, Questions, Sir G. Baden-Powell; Answers, The Secretary to the Treasury, The Under Secretary for the Colonies *Aug.* 1, 68

Hong-Kong, Questions, Sir G. Campbell; Answers, The Secretary to the Treasury *Aug.* 15, 1338

Circulars, Orders for Goods, &c., Question, Mr. O'Doherty; Answer, The Postmaster General *Aug.* 15, 1352

Ireland—Belfast, Falls Road Office, Question, Mr. Sexton; Answer, The Postmaster General *Aug.* 6, 548

Boffin and Shark Postal Facilities, Question, Mr. Foley; Answer, The Postmaster General *Aug.* 12, 1024

Carlow Post Office, Question, Mr. Sexton; Answer, The Postmaster General *Aug.* 9, 901

Dublin—Opening of Letters, Questions, Mr. Sexton; Answers, The Home Secretary *Aug.* 15, 1350

Dead Letter Office, Questions, Mr. T. M. Healy; Answers, The Postmaster General *Aug.* 13, 1137

Ennis Post Office, Question, Mr. Cox; Answer, The Postmaster General *Aug.* 19, 1649

Enniskillen, Postmaster of, Questions, Mr. W. Redmond, Mr. Jordan, Mr. Sexton; Answers, The Postmaster General *Aug.* 8, 788

Kilruane, Question, Mr. P. J. O'Brien; Answer, The Postmaster General *Aug.* 8, 782

[*cont.*

POST OFFICE—*Ireland*—cont.

Knockaney, Postmaster of, Questions, Mr. W. Abraham; Answers, The Postmaster General *Aug.* 12, 1016

Liscarrall—Money Order Office for, Question, Mr. Flynn; Answer, The Postmaster General *Aug.* 1, 53

Loan Fund Boards, Question, Mr. O'Doherty; Answer, The Postmaster General *Aug.* 1, 64

Newcastle, Question, Mr. O'Hanlon; Answer, The Postmaster General *Aug.* 16, 1465

Leeds—Employés, Question, Mr. Bradlaugh; Answer, The Postmaster General *Aug.* 8, 773

Letters, Conveyance of, by Railways, Question, Mr. D. Thomas; Answer, The Postmaster General *Aug.* 2, 177

Local Taxation Licenses, Question, Mr. D. Thomas; Answer, The Postmaster General *Aug.* 2, 178; Question, Col. Anstruther; Answer, The President of the Local Government Board *Aug.* 8, 772

Mail Bags and Railway Accidents, Question, Mr. J. E. Ellis; Answer, The President of the Board of Trade *Aug.* 1, 51

Metropolis—City Postmen, Question, Mr. Lawson; Answer, The Postmaster General *Aug.* 181

Metropolitan Postmen, Question, Colonel Hughes; Answer, The Postmaster General *Aug.* 9, 853

Money Orders—Designs, Question, Mr. Macartney; Answer, The Postmaster General *Aug.* 19, 1662

Political Placards in Post Offices, Question, Mr. Labouchere; Answer, The Postmaster General *Aug.* 1, 70

Saving Banks—Government Stock, Question, Mr. O. V. Morgan; Answer, The Postmaster General *Aug.* 2, 180; *Aug.* 9, 896

Scotland—Aberdeen, Telegraph Staff at, Question, Mr. Hunter; Answer, The Postmaster General *Aug.* 19. 1668

Edinburgh—Officers, Question, Mr. Wallace; Answer, The Postmaster General *Aug.* 8, 772

Highland Railway Company, Question, Mr. A. Sutherland; Answer, The Postmaster General *Aug.* 15, 1344

Mails, Question, Mr. Caldwell; Answer, The Postmaster General *Aug.* 6, 536; Questions, Mr. Fraser-Mackintosh, Mr. Caldwell; Answers, The Postmaster General *Aug.* 6, 541; Question, Mr. Fraser-Mackintosh; Answer, The Postmaster General, *Aug.* 6, 542

Thurso and Wick, Question, Dr. Clark; Answer, The Postmaster General *Aug.* 16, 1481

Sorters, Sunday Duties, Question, Mr. Pickersgill; Answer, The Postmaster General *Aug.* 6, 543

Telegraph Department — Brighton — Non-Delivery to Mr. Mahoney, Question, Mr. Mahony; Answer, The Postmaster General *Aug.* 2, 1025

POST OFFICE—*Telegraph Department*—cont.

Female Telegraph Service, Question, Mr. Bane; Answer, The Postmaster General *Aug.* 16, 1487

Overhead Wires, Questions, Sir G. Campbell; Answers, The President of the Local Government Board *Aug.* 8, 786

Railway Stations, Telegrams from, Question, Mr. J. Swinburne; Answer, The Postmaster General *Aug.* 20, 1761

Staff Classification, Question, Mr, Bradlaugh; Answer, The Postmaster General *Aug.* 16, 1479

West India—Mail Contracts, Question, Sir G. Baden-Powell; Answer, The Postmaster General *Aug.* 20, 1766

Woolwich Post Office, Question, Colonel Hughes; Answer, A Lord of the Treasury *Aug.* 9, 894

Post Office Sites Bill

c. Reported from Select Committee; Re-Committed to Committee of Whole House *Aug.* 14, 1287 [Bill 244]
Considered in Committee and Reported; Read 3° * and Passed *Aug.* 15, 1361 [Bill 377]
l. Read 1ª * *Aug.* 15, 1313

Post Office Sites (Expenses)

c. Resolutions Reported and Agreed to *Aug.* 1, 157

POWER, Mr. P. J., *Waterford, E.*

Light Railways (Ireland) Bill, Consideration, 1707
Supply—Ireland—Magistrates, 815, 816, 821
Public Education, 651

POWER, Mr. R., *Waterford*

Ireland—Munster Friends' School, 1144
Sunday Closing Bill, 1767

POWIS, Earl of

Prevention of Cruelty to and Protection of Children Bill, Committee, 291, 312

Preferential Payments in Bankruptcy (Ireland) Bill [Bill 319]

c. Read 2° * *Aug.* 9, 981
Considered in Committee and Reported with a New Title *Aug.* 17, 1643
As Amended Considered *; Read 3° * and Passed *Aug.* 19, 1740

Prevention of Cruelty to and Protection of Children Bill

Formerly "Cruelty to Children Prevention Bill"
l. Considered on Re-Commitment *Aug.* 5, 273 [Bill 211]
Amendments Reported and Agreed to *Aug.* 8, 715
Read 3ª and Passed *Aug.* 12, 1035 [Bill 372]
c. Lords' Amendments Considered and Agreed to *Aug.* 14, 1284
l. Returned from Commons with Amendments Agreed to *Aug.* 15, 1290 [Bill 160]

PRIME MINISTER (*see* SALISBURY, Marquess of)

Prince of Wales's Children's Bill
c. Considered in Committee, R.P. *Aug.* 1, 133 [Bill 358]
Considered in Committee and Reported *Aug.* 2, 187
Read 3° and Passed *Aug.* 5, 332
l. Read 1ª* *Aug.* 5, 321 [Bill 212]
Read 2ª and Committed to Committee of Whole House *Aug.* 6, 532
Considered in Committee and Reported *Aug.* 8, 739
Read 3ª* and Passed *Aug.* 9, 875
Royal Assent *Aug.* 12, 993

PRISONS
Lady Visitors, Question, Mr. Pickersgill; Answer, The Home Secretary *Aug.* 8, 776

Private Bills (*Alteration of Memorandum of Association*) (*see* under Parliament)

PROVAND, Mr. A. D., *Glasgow, Blackfriars*
Canadian Pacific Railway Company (Contract), Res. 1584

Public Health (Cholera Prevention)
c. Ordered; Read 1°* *Aug.* 12, 1035 [Bill 373]

Public Income and Expenditure
Return Ordered *Aug.* 1, 78

Public Works Loans Bill
c. Ordered; Read 1°* *Aug.* 5, 332 [Bill 365]
Read 2° *Aug.* 16, 1511

Public Works Loans (Redemption of Annuities)
c. Instruction to Committee *Aug.* 16, 1588
Considered in Committee *Aug.* 17, 1593
Res. Reported and Agreed to *Aug.* 19, 1671

PULESTON, Sir J. H., *Devonport*
Bury Corporation Bill, 3R. 886, 889, 892
Parliament—Sittings and Adjournments of the House, Res. 1503
Supply—National Gallery, 1518

RAIKES, Right Hon. H. C., (Postmaster General), *Cambridge University*
Post Office—Appointments, 905
Canadian Mail Service, 1134
Circulars—Orders for Goods, &c. 1352
India (West)—Mail Contracts, 1766
Ireland—Belfast—Falls Road Office, 548
Boffin and Shark—Postal Facilities, 1024
Carlow Post Office, 901
Dublin Dead Letter Office, 1137
Ennis Post Office, 1649
Enniskillen, Postmaster of, 789, 790
Kilruane, 783

[*cont.*

RAIKES, Right Hon. H. C.—*cont.*
Knockaney, Postmaster of, 1016
Liscarrall—Money Order Office, 53
Loan Fund Boards, 64
Mr. Maberley and the Special Commission, 1138
Newcastle, 1465
Leeds—Employés, 774
Letters—Conveyance by Railway Companies, 178
Local Taxation Licenses, 178
Political Placards, 70
Postal Orders, Designs, 1662
Postmen, City, 181
Metropolitan, 893
Savings Banks—Government Stock, 180, 897
Scotland—Aberdeen—Telegraph Staff, 1668
Edinburgh—Officers, 773
Highland Railway Company, 1344
Mails, 536, 541, 542
Thurso and Wick, 1481
Sorters, Sunday Duty, 543
Telegraphs — Brighton — Non-delivery of Telegram, 1026
Female Telegraph Service, 1487
Railway Stations, 1761
Staff Classification, 1479
Supply—Post Office, 1633, 1634, 1639, 1640; Report, 1856, 1858, 1859, 1861

RAILWAYS
Classification of the Railway and Canal Traffic Act, Question, Sir John Lubbock; Answer, The President of the Board of Trade *Aug.* 6, 548

Kanturk and Newmarket Railway, Question, Mr. Flynn; Answer, The President of the Board of Trade *Aug.* 1, 56

Keith Junction—Collision, Question, Mr. Channing; Answer, The President of the Board of Trade *Aug.* 12, 1025

Mail Bags and Railway Accidents, Question, Mr. J. E. Ellis; Answer, The President of the Board of Trade *Aug.* 1, 51

Post Office—Conveyance of Letters, Question, Mr. D. Thomas; Answer, The Postmaster General *Aug.* 2, 177

Rates, Charges, and Classification, Question, Sir R. Paget; Answer, The President of the Board of Trade *Aug.* 8, 770; Question, Mr. Sexton; Answer, The President of the Board of Trade *Aug.* 20, 1764

Regulations, Question, Mr. H. Vincent; Answer, The President of the Board of Trade *Aug.* 1, 51

Telegrams from Stations, Questions, Sir J. Swinburne; Answers, The Postmaster General *Aug.* 20, 1761

Railway Companies (Passenger Tickets) Bill
c. Bill Withdrawn *Aug.* 8, 872 [Bill 251]

Railway Companies (*Passenger Trains*)
Return Ordered *Aug.* 12, 1034

Railway Stations (Names) Bill
c. Order for 2R. Read and Discharged; Bill Withdrawn *Aug.* 2, 266 [Bill 296]

RASCH, Major F. C., *Essex, S. E.*
Army—Dublin Barracks and Fourth Hussars, 1320
Pleuro-pneumonia, 533
Supply—Public Education, 644
Science and Art Department, 1395

RATHBONE, Mr. W., *Carnarvonshire, Arfon*
Tithe Rent-charge Recovery Bill, Order for Committee, 1064

REDMOND, Mr. J. E., *Wexford, N.*
Supply—Ireland—Resident Magistrates, 936, 937, 938

REDMOND, Mr. W. H. K., *Fermanagh, N.*
Australia (Western)—Constitution Bill, 75
Ireland
Criminal Law and Procedure Act—Boycotting in Wexford, 74
Mellon, Doyle, and Kavanagh, 781, 782
Postmaster at Enniskillen, 788, 790
Parliament—Business of the House, 1033
Sittings and Adjournments of the House, Res. 1501
Supply
Ireland—Magistrates, 806, 836; Report, 1448, 1449
Royal Irish Constabulary, 603, 613, 624, 633

REED, Mr. H. B., *Bradford, E.*
Parliament—Business of the House, 1499
Tithe Rent-charge Recovery Bill, Order for Committee, 1079, 1081

Registration of Assurances (Ireland) Bill [Bill 318]
c. 2R. Bill Withdrawn *Aug.* 19, 1740

Regulation of Railways (No. 2) Bill
c. Read 2° *Aug.* 2, 220 [Bill 360]
Considered in Committee, R.P. *Aug.* 5, 421
Considered in Committee; Reported as Amended *Aug.* 6, 639
As Amended Considered; Read 3°* and Passed *Aug.* 12, 1116
l. Read 1a* *Aug.* 15, 1289 [Bill 229]

Regulation of Railways (No. 2) Bill
Question, Mr. O'Keeffe; Answer, The First Lord of the Treasury *Aug.* 6, 550

REID, Mr. R. T., *Dumfries, &c.*
Ireland—Criminal Law and Procedure Act—Tanner, Dr., Res. 104, 121

RENDEL, Mr. S., *Montgomeryshire*
Interpretation Bill, 2R. 1248
Tithe Rent-charge Recovery Bill, Order for Committee, 1048, 1081, 1107; Committee, 1153, 1164, 1171, 1176, 1192, 1206, 1207, 1233

Revenue Bill
c. Considered as Amended; Read 3°* and Passed *Aug.* 2, 219 [Bill 315]
l. Read 1a* *Aug.* 5, 269 [Bill 209]
Read 2a* and Committed to Committee of Whole House *Aug.* 8, 715
Considered in Committee; Reported *Aug.* 12, 1008
Read 3a* and Passed *Aug.* 15, 1295

RITCHIE, Right Hon. C. T., (President of the Local Government Board), *Tower Hamlets, St. George's*
Borough Boundaries, 774, 1466
Bury Corporation Bill, 3R. 888, 889
Cattle, Diseased, 539
County Councils—Northumberland, 1485
County Electors, 790
Government Departments (Transfer of Powers) Bill, 69
Government Departments (Transfer of Powers) Provisional Order Bill, 1463
Harrow Weald Drainage Scheme, 1741
Labourers' Allotments Act—Banbury Union, 1330, 1331
Westbourne Union, Sussex, 1340
Local Rates, Aids to, 550
Local Taxation Licenses, 772
Medical Practitioners—Unqualified, 1470
Movable Dwellings, 776, 777
Movable Dwellings Bill, Committee, 263, 266
Overhead Wires and Spiked Fences, 787, 1342
Parliament—Business of the House, 329, 911
Poor Law Guardians, Election of, 1645
River Lea, 174, 900
Typhoid Fever in West-end of London, 1748
Vaccination Acts — Prosecution of J. Matthews, 1758

ROBERTS, Mr. J. B., *Carnarvonshire, Eifion*
Light Railways (Ireland) Bill—Consideration, 1702

ROBERTSON, Right Hon. J. P. B. (Lord Advocate) *Bute*
Local Government (Scotland) Bill, Consideration, 1592
The Burgh of Dysart, 63
Scotland—Caledonian Canal, 780
Cronin Canal, 1355
Education — Blantyre Roman Catholic School, 538
Caithness and Sutherland, Schools in—Payments to, 1353
Fisheries—Fishery Board, 1332
Herring Fisheries, 788
Seizure of Nets, 1325, 1480
Insurance Companies, Alleged Fraudulent Claims on, 1463
Law and Justice and Police—Dingwall, Assault at, 1014
Whipping a Juvenile Offender, 77
Procurator Fiscal at Falkirk, 1647
Supply—Crofters' Colonization, 1613
Scotland—Public Education, 1258, 1279, 1282, 1363, 1364, 1373, 1391

ROBERTSON, Mr. E., *Dundee*
Light Railways (Ireland) Bill, Consideration, 1673, 1690, 1711, 1716, 1724, 1728, 1729, 1734
Navy—H.M.S. "Sultan," 793, 794, 907, 1753
Parliament—Business of the House, 1499
Government Bills, 1032
Sittings and Adjournments of the House, Res. 1502
Prince of Wales's Children Bill, 3R. 337, 338
Scotland—Western Coasts and Islands—Condition 1486
Supply—Scotland—Public Education, 1275, 1281, 1364, 1379
Universities and Colleges, 1523, 1525

ROE, Mr. T., *Derby*
Westminster Hall, 897

ROSCOE, Sir H. E., *Manchester, S.*
Supply—Public Education, 392

ROUND, Mr. J., *Essex, N.E., Harwich*
Navy—Training Ships, 1124
Tithe Rent-charge Recovery Bill, Order for Committee, 1066

ROWLANDS, Mr. J., *Finsbury, E.*
Cab Owners—Excise Licenses, 325
London County Council Money (No. 2) Bill, 2R. 984, 985; Committee, 1864
Parliament—Business of the House, 329, 1671
Post Office Sites Bill, Committee, 1361
Supply—Post Office, 1632
Technical Instruction Bill, 2R. 1253
Tithe Rent-charge Recovery Bill, Committee, 1161

ROWNTREE, Mr. J., *Scarborough*
Government Departments (Transfer of Powers) Bill, 69

RUSSELL, Mr. T. W., *Tyrone, S.*
Bull Rock Lighthouse, 1014
Ireland—Inquest, Refusal to hold an, 1329
Sunday Closing Bill, 1768
Judicial Rents (Ireland) Bill, Res. 652
Naval Review and the Press, 792, 793
Parliament—Business of the House, 1033, 1499
Supply
Ireland—County Court Officers—Divisional Commissioners and Magistrates—Report, 1424
Land Commission, 1800
Royal Irish Constabulary, 611, 612, 613, 614, 615, 633, 634, 635

St. Katherine's Hospital (*see* Charity Commissioners)

ST. VINCENT
Colony of, Question, Mr. Mac Neill; Answer, The Under Secretary for the Colonies *Aug.* 1, 49

SALISBURY, Marquess of (Prime Minister, and Secretary of State for Foreign Affairs)
Egypt—Military Operations—Future Policy, 1001, 1003
Local Government (Scotland) Bill, Committee, 463, 524, 525, 527; Consideration, 722
Prince of Wales's Children Bill, 2R. 532, 533
Prevention of Cruelty to and Protection of Children Bill, Consideration, 716

SALT, Mr. T., *Stafford*
Parliament—Business of the House, 795
Tithe Rent-charge Recovery Bill, Order for Committee, 1070

SAUNDERSON, Colonel E. J., *Armagh, N.*
Ireland—Criminal Law and Procedure Act—Tanner, Dr., Res. 112, 114, 115
Supply—Ireland—Magistrates, 845

School Board for London (Pensions) Bill
c. 2R. Bill Withdrawn *Aug.* 19, 1740

SCHWANN, Mr. C. E., *Manchester, N.*
Ireland—Criminal Law and Procedure Act—Tanner, Dr., Res. 123

SCOTLAND SECRETARY for (*see* LOTHIAN, Marquess of)

SOLICITOR GENERAL FOR (*see* DARLING, Mr. M. T. STORMONTH)

LORD ADVOCATE (*see* ROBERTSON, Mr J. P. B.)

SCOTLAND—
Ashbourne Act, Question, Mr. Esslemont; Answer, The First Lord of the Treasury *Aug.* 1, 72; *Aug.* 2, 184

Caledonian Canal, Question, Mr. Finlay; Answer, The Lord Advocate *Aug.* 8, 780

Crinan Canal, Question, Mr. Buchanan; Answer, The Lord Advocate *Aug.* 15, 1355

Education—Blantyre Roman Catholic School, Question, Mr. Philips; Answer, The Lord Advocate *Aug.* 6, 537

Schools in Caithness and Sutherland, Payments to, Question, Dr. Clark; Answer, The Lord Advocate *Aug.* 15, 1353

Educational Endowments, Petition for Address *Aug.* 1, 1

Falkirk—Procurator Fiscal, Question, Mr. Broadhurst; Answer, The Lord Advocate *Aug.* 19, 1646

Fisheries—Crown Rights to Salmon Fishings, Question, Mr. Marjoribanks; Answer, The First Lord of the Treasury *Aug.* 15, 1354

Fishery Board, Question, Mr. Marjoribanks; Answer, The Lord Advocate *Aug.* 15, 1332

[*cont.*

SCOTLAND—*Fisheries*—cont.
Seizure of Nets, Question, Dr. Cameron; Answer, The Lord Advocate *Aug.* 15, 1325; Question, Mr. A. Sutherland; Answer, The Lord Advocate *Aug.* 16, 1480
Law and Justice and Police—Dingwell, Assault at, Question, Dr. M'Donald; Answer, The Lord Advocate *Aug.* 12, 1014
Fraudulent Claim, Alleged, on Insurance Companies, Question, Dr. Cameron; Answer, The Lord Advocate *Aug.* 16, 1462
Whipping a Juvenile Offender, Question, Mr. Bradlaugh; Answer, The Lord Advocate *Aug.* 1, 77
Post Office — Aberdeen, Telegraph Staff at, Question, Mr. Hunter; Answer, The Postmaster General *Aug*, 19, 1668
Edinburgh—Officers, Question, Mr. Wallace; Answer, The Postmaster General *Aug.* 8, 772
Highland Railway Companies, Question, Mr. A. Sutherland; Answer, The Postmaster General *Aug.* 15, 1344
Mails, Question, Mr. Caldwell; Answer, The Postmaster General *Aug.* 6, 536; Questions, Mr. Fraser-Mackintosh, Mr. Caldwell; Answers, The Postmaster General *Aug.* 6, 541; Question, Mr. Fraser-Mackintosh; Answers, The Postmaster General *Aug.* 6, 542
Thurso and Wick, Question, Dr. Clark; Answer, The Postmaster General *Aug.* 16, 1480
Western Coast and Islands — Condition, Questions, Mr. J. Chamberlain, Mr. E. Robertson, Mr. Buchanan; Answers, The First Lord of the Treasury *Aug.* 16, 1485

Sea Fisheries (Scotland) Regulation Bill
c. Order for 2R. Discharged and Bill Withdrawn *Aug.* 15, 1450 [Bill 330]

SEALE-HAYNE, Mr. C., *Devon, Ashburton*
Tithe Rent-charge Recovery Bill, Order for Committee, 1086, 1089; Committee 1168, 1188, 1189, 1209, 1210, 1212

Sessions Relief Act
See under Law and Justice and Police

Settled Land Acts Amendment Bill
l Read 1°* *Aug.* 1, 5 [Bill 203]
Read 2ª and Committed to Committee of Whole House *Aug.* 2, 168
Considered in Committee and Reported *Aug.* 5, 321
Read 3ª* and Passed *Aug.* 8, 721
Royal Assent *Aug.* 12, 993

SEXTON, Right Hon. T. (Lord Mayor of Dublin), *Belfast, W.*
Bury Corporation Bill, 3R. 891
Council of India Bill, 2R. 244, 245
Interpretation Bill, 2R. 871
[*cont.*

SEXTON, Right Hon. T.—*cont.*
Ireland
Bands—Dublin Working Men's Club, 328
St. Stephen's Green—Sundays, 1752
Criminal Law and Procedure Act
Conybeare, Mr. 1129
Cost of Defending Prisoners, 784
M'Gee and Seyes, 1459, 1461
Tanner, Dr. 62, 63, 185, 1028; Res. 78, 85, 87, 107, 114
Treatment of Prisoners — Whitewashed Cells, 327
Customs House, Belfast—Probate Registry, 1647
Drunkenness, Arrests for, 1319
Education—Science and Art Department, 1646
Royal University, 1328
Evictions—Battering Ram—Donegal, 186
Lord Clanricarde's Estate, 328, 546, 547, 548
Holywood Foreshore, Nuisance at, 1345
Magistracy, Res. 1319
Resident Magistrates—Return, 555
Orangemen and Catholics, 1474
Post Office—Belfast—Falls Road Office, 548
Carlow Post Office, 901
Dublin—Opening of Letters, 1350, 1351
Enniskillen—Postmaster of, 789
Prisons — Derry Gaol, 1030, 1141, 1668, 1750, 1760
Death of M'Gee, 1221
Downpatrick Gaol, 1750
Prisons Vote, 1769
Leaseholders (Ireland) Bill, Committee, 1644
Light Railways (Ireland) Bill, Standing Committee on Trade, Res. 128, 129; Consideration, 1701
Merchant Shipping (Tonnage) Bill, 540, 541
Parliament—Business of the House, 796, 1288, 1499, 1843
Rules and Orders of Debate, 800, 802
Sittings and Adjournments of the House; Res. 1505
Railway Rates, Classification of, 1764
Suck Drainage Bill, Res. 747; Consideration, 762
Sunday Closing (Ireland) Bill, 1767
Supply—British and Natural History Museums, 1400, 1402, 1406, 1413, 1414, 1416; Report, 1575, 1579, 1582
Embassies and Missions Abroad, 1535
Ireland—Chief Secretary's Offices, &c. 1820
County Court Officers—Divisional Commissioners and Magistrates, 845, 980; Report, 1422, 1424, 1432, 1435
Hospitals and Infirmaries, 1601, 1602; Report, 1846
Post Office, 1629, 1640, 1643; Report, 1852
Royal Irish Constabulary, 658, 670, 695, 697, 711, 712, 864, 865, 869
Superannuation and other Allowances, 1597, 1598, 1599
Tithe Rent-charge Recovery Bill, Committee, 1236

Shannon Drainage Bill
Irish Fisheries (*see* under Ireland—Fisheries)

Shannon Drainage Bill
c. 2R. Bill Withdrawn *Aug.* 12, 1120 [Bill 289]

Sheriff Courts Consolidation Civil Code (Scotland) Bill [Bill 154]
l. 2R. Bill Withdrawn *Aug.* 19, 1740

SINCLAIR, Mr. W. P., *Falkirk, &c.*
Merchant Shipping (Pilotage) Bill, 186

Slave Trade Conference
Question, Mr. S. Buxton; Answer, The Under Secretary for Foreign Affairs *Aug.* 5, 328

Small Debts (Scotland) Bill
l. Royal Assent *Aug.* 12, 993

SMITH, Right Hon. W. H. (First Lord of the Treasury), *Strand, Westminster*
Army and Navy Administration, 70
Australia (Western)—Constitution Bill, 75
Responsible Government, 786
Behring Sea Fisheries—"Black Diamond," Seizure of, 795
Civil Service—Panton, Mr. Chas.—Conservative Registration Agents, 1337
Court of Criminal Appeal, 912
Education—Royal Commission, Report, 912
Egyptian Government, 549
Friendly Societies, Select Committee, 795
India—Budget, 1485
Ireland—Battering Ram—Donegal, 186, 331
Drunkenness, Arrests for, Res. 1319
Munster Friends' School, 1144
Light Railways (Ireland) Bill—Standing Committee on Trade, Res. 125, 127, 128, 129, 130
London County Council Money (No. 2) Bill, 2R. 981
Merchant Shipping (Pilotage) Bill, 187
Mining Rents and Royalties Commission, 1355
Navy—H.M.S. "Sultan," 1755
Parliament
Business of the House, 72, 77, 329, 553, 554, 796, 797, 798, 914, 1032, 1288, 1670, 1843
Scotch Estimates, 1662
Supply, 1421, 1422
House of Commons—Admission of Strangers, 74
Sittings and Adjournment of the House, Res. 1499, 1500, 1503, 1504, 1505, 1506, 1507, 1580
Autumn Session, 1486
Pleuro-pneumonia—Compensation for Slaughter, 1354
Prince of Wales's Children Bill, Committee, 138, 139, 140, 155, 190, 198, 203, 209, 217; 3R. 335, 336
Railway Regulations Bill, 550
Scotland—Ashbourne Act, 72, 184
Crown Rights to Salmon Fishings, 1353
Western Coast and Islands—Condition, 1485, 1486
Statutes—Revised Edition, 1765
Suck Drainage Bill, Consideration, 751, 754, 756; 3R. 763
Supply—Embassies and Missions Abroad, 1549, 1574, 1575
Ireland—Royal Irish Constabulary, 863
Post Office, 1642, 1643
Public Education, 421
Superannuation and other Allowances, 1596
[*cont.*

SMITH, Right Hon. W. H.—*cont.*
Technical Instruction Bill, 1766, 1770; 2R. 1249, 1256
Tithe Rent-charge Recovery Bill, 71, 186, 1358, 1490; Order for Committee, 1068, 1069, 1070, 1494; Committee, 1186, 1214, 1216, 1231, 1236, 1237

SMITH, Mr. S., *Flintshire*
Supply—Embassies and Missions Abroad, 1561
Scotland—Public Education, 1377
Tithe Rent-charge Recovery Bill, Order for Committee, 1078

SOLICITOR GENERAL (*see* CLARKE, Sir E.)

SOLICITOR GENERAL for IRELAND (*see* MADDEN, Mr. D. H.)

SOLICITOR GENERAL for SCOTLAND (*see* DARLING, Mr. M. T. STORMONTH)

SPEAKER, The (Right Hon. ARTHUR WELLESLEY PEEL), *Warwick and Leamington*
Rules and Order of Debate
The One o'clock Rule *Aug.* 6, 652
The Question before the House being the Suspension of Standing Orders, a Private Bill may be considered *Aug.* 8, 747
Upon consideration of a Bill, it is not competent for an hon. Member to widen its scope by increasing the amount provided for in the Measure *Aug.* 8, 749
It is irregular to raise a Point of Order after the business has commenced, and after the occasion on which the Point of Order arose. The Speaker declines to constitute himself a Court of Appeal from the decisions of the Chairman of Committees. If when half-past five is reached an Amendment to a Question is then being decided by a Division, the time of the interruption of business is thrown forward. When the first Question on the Amendment is decided, the main Question is proposed, and if objection is taken thereto it is quite in order to move the Closure pursuant to the new Standing Order *Aug.* 8, 802
If the words "I object" reach the Speaker's ears, it is not necessary for him to know whence they proceed *Aug.* 9, 992
The Instruction to Committee does not open up a Second Reading Debate; only the specific question concerned in the instruction is introduced *Aug.* 12, 1041, 1043, 1047
If the Chairman of Committees is of opinion that the Clause cannot be inserted in Committee, the Bill can be Re-Committed for the purpose of inserting it *Aug.* 12, 1070
Appeals cannot be made to the Speaker on Points of Order arising in Grand Committees, there being no such appeal from the decision of a duly constituted Chairman of a Grand Committee. It cannot be admitted as a general rule that Amend-
[*cont.*

SPEAKER, The—*cont.*
ments hostile to a Bill may not be admitted. Proceedings in Grand Committee are so far in lieu of Proceedings in Committee of the Whole House that there is no stage of Committee of the Whole House in the case of a Bill which has been referred to a Grand Committee. The matter is not one of Privilege, but at most one of Order. Differences between Rules applicable to proceedings in Committee of the Whole House, and those applicable to proceedings in a Grand Committee *Aug.* 14, 1226
In order that a Bill which has been before a Standing Committee may be considered by a Committee of the Whole House, it is necessary, when the Committee present their Report, to make a Motion to suspend the Standing Order *Aug.* 14, 1227
It is for the Chairman of Committees to decide when the House is in Committee whether, an Instruction having been refused by the House, Amendments which might contravene that Instruction as such can be moved, notwithstanding the refusal of the House to grant the Instruction at an earlier stage *Aug.* 15, 1360
The practice of the House has unquestionably been, when a Bill has been transformed by the introduction of Amendments in Committee, that a new Bill should be introduced, leave given to introduce it, and the Second Reading stage should be gone through when the general principles of the Measure as distinguished from its component Clauses can be affirmed *Aug.* 16, 1488
It is not possible for an hon. Gentleman to discuss the merits or demerits of a Bill on a Motion for the discharge of the Order *Aug.* 16, 1493
The House having exempted a Bill from the Twelve O'clock Rule, it is unreasonable to put a Motion for Adjournment at a few minutes after 12 *Aug.* 19, 1733
It is not in Order, when a scheme is before the House, and an Address to the Crown is moved against such scheme, to move an Amendment that that particular scheme be referred to a Select Committee *Aug.* 20, 1741
Miscellaneous
Aug. 1, 97, 115, 160 124, 125, 127, 132, 133
Aug. 5, 331, 343, 344
Aug. 6, 649
Aug. 8, 750, 751, 753, 756, 760, 761, 794, 798, 859, 860, 865, 868
Aug. 9, 892, 910, 911, 982, 985, 988
Aug. 12, 1073, 1076, 1081, 1082, 1102, 1104, 1107, 1108
Aug. 13, 1146
Aug. 15, 1356, 1359, 1446
Aug. 16, 1584
Aug. 17, 1589, 1592
Aug. 19, 1669, 1670, 1687, 1691, 1705, 1718

Special Commission (*see* Parliament)

SPENCER, Earl
Intermediate Education (Wales) Bill, 2R. 436

STANHOPE, Right Hon. E. (Secretary of State for War) *Lincolnshire, Horncastle*
Army—Arsenal Workmen, 894
Barracks—Fourth Hussars, Dublin, 1320
Island Bridge, 1479
Contracts—Meat, 173
War Office Contracts, 1130
Egypt—Defeat of the Dervishes, 329
Estimates—Half Pay and Retired Pay, 1116, 1120
Guns, Disabling, 540
India—Contagious Diseases, 1484
Malta—Disturbance at Robato—Conduct of the Military, 1012
Medical Officers—Dr. Richard Nicholls, 1348
Officers—Officers' Horses—Forage Rations, 68
Royal Artillery and Royal Engineers, 324
Staff Officers, 1456
Staff Officers and Public Companies, 1661
Third Leicestershire Regiment, 1473
Council of India Bill, 2R. 245, 251, 252, 255, 256
Naval Manœuvres and Military Forces, 179, 180

STANLEY OF ALDERLEY, Lord
India—Diamond Harbour Division of the Pegunnahs—Distress, 37
Prevention of Cruelty to and Protection of Children Bill, Committee, 273, 317, 319

Statutes
Revised Edition, Questions, Mr. Howell, Mr. Mr. T. M. Healy; Answers, The First Lord of the Treasury *Aug.* 20, 1765

Statute Law Revision Bill
l. Read 2ª* and Committed to Committee of the Whole House *Aug.* 1, 37 [Bill 186]
Considered in Committee and Reported *Aug.* 6, 531
Read 3º* and Passed *Aug.* 8, 736
c. Read 1º* *Aug.* 9, 919 [Bill 371]
2R. Bill Withdrawn *Aug.* 16, 1584

Steam Trawling (Ireland) Bill
c. Order for 3R.; Re-Committed *Aug.* 17, 1643 [Bill 335]

STEPHENS, Mr. H. C., *Middlesex, Hornsey*
Movable Dwellings, 776, 777
Movable Dwellings Bill, Committee, 263, 264, 265

STEWART, Mr. H., *Lincolnshire, Spalding*
Education—School Fees, 1743
National School, Colsterworth, 1742
Factory—Inspectorships—Mr. Geo. Bateman, 1320
Light Railways (Ireland) Bill, Consideration, 1690, 1691, 1724, 1735
Prince of Wales's Children Bill, Committee, 201, 211; 3R. 348
Supply—Royal Irish Constabulary, 864
Technical Instruction Bill, 2R. 1254
Tithe Rent-charge Recovery Bill, Committee, 1201

STEWART, Mr. M. J., *Kirkcudbright*
Supply—Scotland—Public Education, 1271

STOKES, Sir G., *Cambridge University*
Supply — British and Natural History Museums, 1402

STOREY, Mr. S., *Sunderland*
Light Railways (Ireland) Bill, Standing Committee on Trade, Res. 123, 124, 125, 129; Privilege, 1222, 1226, 1227; Consideration, 1681, 1682, 1690, 1694, 1702, 1706, 1709, 1712, 1717, 1718, 1725, 1726, 1729, 1732, 1738
Parliament—Business of the House, 73, 554, 1033
Prince of Wales's Children Bill, Committee, 135, 137, 138, 139, 140, 141, 146, 156, 190, 191, 198, 199, 202, 203, 206, 212, 216, 217, 218, 219; 3R. 337
Suck Drainage Bill, Res. 740, 741, 742, 744, 746, 747, 749; Consideration, 749, 750, 754, 756, 758, 761; 3R. 763

STUART, Mr. J., *Shoreditch, Hoxton*
Parliament—Sittings and Adjournments of the House, Res. 1506, 1508
Shoreditch Vestry Meeting and the Police, 183

Suck Drainage Bill
Question, Mr. Hayden; Answer, The Chief Secretary *Aug.* 19, 1660

Suck Drainage Bill
c. Reported *Aug.* 424 [Bill 260]
Motion to Suspend Standing Orders; Bill Considered and Read 3° *Aug.* 8, 740

Suck Drainage Bill (Private Bill)
l. Read 1a* and Referred to the Examiners *Aug.* 9, 873
Motion to Dispense with Standing Orders; Bill Read 3a* and Passed *Aug.* 16, 1453

Suck Drainage (Provision of Funds)
c. Instruction to Committee *Aug.* 5, 424

SULLIVAN, Mr. D., *Westmeath, S.*
Supply—British and Natural History Museums 1418

SULLIVAN, Mr. T. D., *Dublin, College Green*
Light Railways (Ireland) Bill, Consideration, 1718, 1719, 1729

SUMMERS, Mr. W., *Huddersfield*
Boiler Explosion Inquiries, 56
Crete, Disturbances in, 174
Turkey and Armenia, 1140

Sunday Closing (Ireland) Bill
Question, Mr. Sexton; Answer, The First Lord of the Treasury *Aug.* 15, 1319; Questions, Mr. Sexton, Mr. R. Power, Mr. Lea; Answers, The Chief Secretary *Aug.* 20, 1767

Superannuation (Allowances, &c.)
c. Instruction to Committee *Aug.* 20, 1867

Superannuation Bill
c. Ordered; Read 1°* *Aug.* 29, 1671 [Bill 385]

SUPPLY
Army Estimates (*see* Army)

Civil Service Estimates
Class IV.—Public Education, Considered in Committee *Aug.* 5, 349; Report *Aug.* 6, 642
Science and Art Departments, British and Natural History Museums, National Gallery, Considered in Committee *Aug.* 15, 1385; Report, *Aug.* 16, 1375
National Portrait Gallery, Learned Societies—Great Britain and Ireland, London University, Universities and Colleges, Considered in Committee, *Aug.* 16, 1518; Report *Aug.* 17, 1643
Class V.—Embassies and Missions Abroad, Considered in Committee *Aug.* 16, 1525; Report *Aug.* 17, 1643
Class VI.—Superannuation and Retired Allowances, Merchant Seamen's Fund Pensions, &c., Savings Banks and Friendly Societies Deficiences, Miscellaneous Charitable and other Allowances, Considered in Committee *Aug.* 17, 1593; Report *Aug.* 20, 1844
Class VII.—Temporary Commissions, Miscellaneous Expenses, Payment to Civil Contingencies, Local Loans Fund, O'Reilly Dease Estate, Crofter Colonization (Advance in Aid), Considered in Committee *Aug.* 17, 1613; Report *Aug.* 29, 1847
Revenue Department, Post Office, Packet Service, Considered in Committee *Aug.* 17, 1614; Reported *Aug.* 20, 1862

Ireland—Civil Service Estimates
Class III.—Royal Constabulary, Considered in Committee *Aug.* 6, 7, 556; Report *Aug.* 8, 852
County Court Officers—Divisional Commissioners and Magistrates, Considered in Committee *Aug.* 8, 9, 803, 917; Report *Aug.* 15, 1422
Pauper Lunatics, Hospital and Infirmaries, Charitable and other Allowances, Considered in Committee *Aug.* 17, 1600; Report *Aug.* 20, 1846
Land Commission, Considered in Committee *Aug.* 20, 1770
Class II.—Lord Lieutenant's Household, &c., Chief Secretary's Offices, &c., Considered in Committee *Aug.* 20, 1802

Scotland—Civil Service Estimates
Class IV.—Public Education, Considered in Committee *Aug.* 14, 15, 1258, 1362; Report *Aug.* 16, 1575
Grants to Universities, National Galleries, &c., Considered in Committee *Aug.* 15, 1382; Report *Aug* 16, 1575
Pauper Lunatics, Considered in Committee *Aug.* 17, 1600; Report *Aug.* 20, 1846

SUTHERLAND, Mr. A., *Sutherland*
Post Office—Highland Railway Co. 1344
Scotland—Herring Barrels, 787
Seizure of Fishing Nets—Kennedy and Curry, 1480
Supply—Post Office, 1628
Scotland—Public Education, 1273, 1282, 1364, 1375, 1381

Sweating System
l. Report from Committee *Aug.* 5, 259
c. Ordered; Message to Lords for Copy of Report *Aug.* 12, 1034

SWETENHAM, Mr. E., *Carnarvon, &c.*
Prisoners' Statements, 781
Sessions Relief Act, 778
Tithe Rent-charge Recovery Bill, 1049, 1106, 1107, 1495; Committee, 1206

SWINBURNE, Sir J., *Staffordshire, Lichfield*
Parliament—Business of the House, 1499
Public Works Loans Bill, 2R. 1512
Suck Drainage Bill, Consideration, 751, 760
Supply—Payment to Civil Contingencies, 1612
Public Education, 650
Telegrams from Railway Stations, 1761
Tithe Rent-charge Recovery Bill, Committee, 1160

Taff Vale Railway Bill
c. Considered *Aug.* 9, 877

TALBOT, Mr. J. G., *Oxford University*
India—Civil Engineers, 1744
Supply—Public Education, 397, 649, 650
Technical Instruction Bill, 1769
Tithe Rent-charge Recovery Bill, Order for Committee, 1496; Committee, 1152, 1153 1155, 1232

Technical Education Bill
Order for Committee Read and Discharged; Bill Withdrawn *Aug.* 6, 651 [Bill 27]

Technical Education (Wales) Act
Question, Mr. T. Ellis; Answer, The Secretary to the Treasury *Aug.* 19, 1668

Technical Instruction Bill
c. Order for 2R.; Debate Adjourned *Aug.* 1, 157 [Bill 350]
Debate Resumed; Adjourned *Aug.* 9, 991
Debate Resumed; Bill Read 2° *Aug.* 14, 1248

Technical Instruction Bill
Question, Mr. J. G. Talbot; Answer, The First Lord of the Treasury *Aug.* 20, 1769; Questions, Mr. Broadhurst, Mr. Bradlaugh; Answers, The First Lord of the Treasury *Aug.* 20, 1765

Telegraphs (Isle of Man) Bill
l. Royal Assent *Aug.* 12, 993

TEMPLE, Sir R., *Worcester, Evesham*
Council of India Bill, 2R. 257, 261, 262
Supply—Public Education, 369, 375

THOMAS, Mr. A., *Glamorgan, E.*
Tithe Rent-charge Recovery Bill, Order for Committee, 1497

THOMAS, Mr. D. A., *Merthyr Tydvil*
Letters, Conveyance of, by Railway Companies, 177
Local Taxation Licenses, Issuing of, from Post Offices, 178

Tithe Rent-charge Recovery Bill
c. Order for Committee *Aug.* 12, 1035 [Bill 272]
Considered in Committee *Aug.* 13, 1147; *Aug.* 14, 1227
Order for Committee; Bill Withdrawn *Aug.* 16, 1491

Tithe Rent-charge Recovery Bill
Questions, Mr. Dillwyn, Mr. S. Leighton, Mr. G. O. Morgan, Mr. H. Gardner; Answers, The First Lord of the Treasury *Aug.* 1, 71; Questions, Mr. Labouchere, Mr. Dillwyn; Answers, The First Lord of the Treasury *Aug.* 2, 186; Question, Sir W. Harcourt; Answer, The Speaker *Aug.* 16, 1487; Appeal by Sir W. Harcourt—Statements of The First Lord of the Treasury—Point of Order, Mr. Bradlaugh, Mr. G. O. Osborne, Mr. T. M. Healy, Sir W. Harcourt; Answer, The Attorney General, Mr. Speaker; Question, Mr. Labouchere *Aug.* 15, 1355

Tithe Rent-charge Recovery (No. 2) Bill
c. Ordered; Read 1° *Aug.* 16, 1509 [Bill 381]

TOMLINSON, Mr. W. E. M., *Preston*
Light Railways (Ireland) Bill, Standing Committee on Trade, Res. 124
Movable Dwellings Bill, Committee, 265
Naval Manœuvres—Military Forces, 179

TREASURY—First Lord (*see* SMITH, Right Hon. W. H.)

TREASURY—A Lord of (*see* MAXWELL, Sir H. E.)

TREASURY—Financial Secretary to (*see* JACKSON, Mr. W. L.)

TREVELYAN, Right Hon. Sir G. O., *Glasgow, Bridgeton.*
Ireland—Drapers' Company's Estates, 323

Trinity College (Dublin)
Return Ordered *Aug.* 5, 331

Truck Act Amendment Act (1887), Amendment (No. 2) Bill
c. Order for 2R.; Bill Withdrawn *Aug.* 5, 424 [Bill 99]

Truro, Lord
Army—Transport for Auxiliary Forces, 41

Trust Funds Investment Bill
c. Lords' Amendments Agreed to *Aug.* 1, 160 [Bill 361]
Royal Assent *Aug.* 12, 993

Trustee Savings Banks
Dorchester, Questions, Mr. Howell, Mr. Bradlaugh; Answers, The Chancellor of the Exchequer *Aug.* 12, 1017

Limavady, Question, Mr. Howell; Answer, The Chancellor of the Exchequer *Aug.* 13, 1131; Question, Mr. J. M'Carthy; Answer, The Chancellor of the Exchequer *Aug.* 15, 1333

Macclesfield, Question, Mr. Howell; Answer, The Chancellor of the Exchequer *Aug.* 16, 1482; Report from Select Committee *Aug.* 2, 266

Tuite, Mr. J., *Westmeath, N.*
Ireland—Antrim, Roman Catholic Magistrates at, 1651
Orangemen and Catholics, 1473

Turkey
Armenia and Turkey, Questions, Mr. Summers, Mr. Cochrane-Baillie; Answers, The Under Secretary for Foreign Affairs *Aug.* 13, 1140

Armenia—Exiles, Question, Mr. Channing; Answer, The Under Secretary for Foreign Affairs *Aug.* 15, 1346

Moussa Bey, Question, Mr. Channing; Answer, The Under Secretary for Foreign Affairs *Aug.* 15, 1346

Tweeddale, Marquess of
Local Government (Scotland) Bill, 2R. 30; Committee, 506, 520

Tyler, Sir H. W., *Great Yarmouth*
Light Railways (Ireland) Bill, Standing Committee on Trade, Res. 127

United States
Behring Seas Fisheries—Seizure of British Schooner "Black Diamond," Questions, Dr. Cameron, Mr. Gourley; Answers, The Under Secretary for Foreign Affairs *Aug.* 2, 175; Question, Mr. S. Hill; Answer, The First Lord of the Treasury *Aug.* 8, 795

Consular Charges, Question, Mr. O. V. Morgan; Answer, The Under Secretary for Foreign Affairs *Aug.* 15, 1326

Universities (Scotland) Bill
l. Read 1ª* *Aug.* 1, 5 [Bill 204]
Read 2ª and Committed to Committee of the Whole House *Aug.* 6, 531
Considered in Committee *Aug.* 8, 726
Amendments Reported *Aug.* 9, 874
Read 3ª* and Passed *Aug.* 12, 1008

Universities, &c., (Scotland) Public Money
Returns Ordered *Aug.* 6, 555

University Scotland
Returns Ordered *Aug.* 6, 556

Vaccination Acts (Persons Imprisoned, &c.)
Address for Returns *Aug.* 8, 764

Prosecution of J. Matthews, Questions, Mr. Bradlaugh; Answers, The President of the Local Government Board, The Attorney General, The Home Secretary *Aug.* 20, 1757

Venezuela
Philip's Vessel, Question, Mr. Watt; Answer, The Under Secretary for Foreign Affairs *Aug.* 8, 780; Question, Mr. Watt; Answer, The Under Secretary for Foreign Affairs *Aug.* 19, 1659

Venezuela Panama Gold Mine Company, Limited, Questions, Mr. S. Hill; Answers, The Under Secretary for Foreign Affairs *Aug.* 6, 536

Vincent, Mr. C. E. H., *Sheffield, Central*
Board of Trade Journal, 66
Railways, Regulations, 51
Government Offices—Foreign Matches, 52

Waddy, Mr. S. D., *Lincolnshire, Brigg*
Supply—Embassies and Missions Abroad, 1540, 1546
Ireland—Magistrates, Res. 823, 824
Tithe Rent-charge Recovery Bill, Committee, 1208, 1209

Wales
Intermediate and Technical Education Bills—Welsh Version, Question, Mr. T. Ellis; Answer, the Vice President of the Council *Aug.* 2, 183

Llangar—Voluntary Education, Question, Mr. T. Ellis: Answers, the Vice President of the Council *Aug.* 2, 182

Wallace, Mr. R., *Edinburgh, E.*
Prince of Wales's Children Bill, Committee, 196, 197, 198
Post Office—Edinburgh—Officers, 772

WAR DEPARTMENT—Secretary of State (*see* STANHOPE, Right Hon. E.)

WAR DEPARTMENT—Under Secretary of State (*see* HARRIS, Lord)

WAR DEPARTMENT—Financial Secretary (*see* BRODRICK, Hon. W. St. J. F.)

WAR DEPARTMENT (*see* Army)

WATKIN, Sir E. W., *Hythe*
Ceylon—Commission on Evictions, &c. 1121

WATSON, Lord
Local Government (Scotland), Bill, Committee, 455, 456, 471, 475, 489, 493, 512, 513, 516, 518
Prevention of Cruelty to and Protection of Children Bill, Committee, 292, 316, 319; Consideration, 719
Universities (Scotland) Bill, Committee, 735

WATT, Mr. H., *Glasgow, Camlachie*
British Guiana—Constitutional Reform, 552
Frontier Between, and Brazil, 553
Venezuela—Phillips's Vessel, 780, 1659

WAYS AND MEANS
Inland Revenue Department—Cab Owners and the Excise Licenses, Questions, Mr. J. Rowlands; Answers, The Home Secretary *Aug.* 5, 325
Metropolitan Collectors, Question, Sir G. B. Powell; Answer, The Secretary to the Treasury *Aug.* 12, 1017
Stamps and Stores Department, Question, Mr. Hayden; Answer, The Chancellor of the Exchequer *Aug.* 15, 1347

WEBSTER, Sir R. E. (Attorney General), *Isle of Wight*
Factors Bill, Consideration, 230
Interpretation Bill, 2R. 1247
Ireland—Criminal Law and Procedure Act—Tanner, Dr., Res. 120, 121
Jervis's Act, 794
Marriages (Basutoland, &c.) Bill, 3R. 231
Parliament—Sittings and Adjournment of the House, Res. 1503
Supply—British and Natural History Museums, 1419
Tithe Rent-charge Rent Recovery Bill, 1359, 1360; Order for Committee, 1054, 1060, 1065, 1077; Committee, 1228, 1229, 1233, 1234; Committee, 1149, 1164, 1168, 1170, 1173, 1175, 1176, 1179, 1183, 1184, 1195
Vaccination Acts — Prosecution of J. H. Matthews, 1759
Western Australia Constitution Bill
Questions, Mr. W. Redmond, Mr. W. A. McArthur, Mr. Childers; Answers, The First Lord of the Treasury *Aug.* 1, 75

WEST INDIES
Mail Contracts, Question, Sir G. Baden-Powell; Answer, The Postmaster General *Aug.* 20, 1766

WHITMORE, Mr. C. A., *Chelsea*
National Portrait Gallery, 51

WIGGIN, Mr. H., *Staffordshire, Handsworth*
Tithe Rent-charge Recovery Bill, Order for; Committee, 1064

WILLIAMS, Mr. A. J., *Glamorgan, S.*
Supply—Royal Irish Constabulary, 601, 623
Tithe Rent-charge Recovery Bill, Order for Committee, 1071, 1073, 1074, 1076, 1077; Committee, 1158, 1159, 1164, 1165, 1168, 1172, 1173, 1179, 1184, 1197, 1227

WILSON, Mr. C. H., *Hull, W.*
Prince of Wales's Children Bill, 3R. 347

WILSON, Mr. H. J., *York, W.R., Holmfirth*
Education—Public Elementary Schools, 1761
Ireland—Alleged Assault by Police, 1122
Supply—British and Natural History Museums, 1412
Ireland—Chief Secretary's Offices, 1823, 1825, 1826
Magistrates, 831, 837
Technical Instruction Bill, 2R. 1257

WINTERBOTHAM, Mr. A. B., *Gloucester, Cirencester*
Parliament—Sittings and Adjournments of the House, Res. 1501
Prevention of Cruelty to and Protection of Children Bill, Consideration of Lords' Amendments, 1286
Supply—Public Education, 648, 649
Tithe Rent-charge Recovery Bill, Order for Committee, 1100; Committee, 1174, 1208

Windward Islands Appeal Court Bill
c. Considered in Committee and Reported; Read 3°* and Passed *Aug* 2, 262 [Bill 353]
l. Returned from Commons; Agreed to *Aug.* 5, 269 [Bill 156]
Royal Assent *Aug.* 12, 993

WOLMER, Viscount, *Hants, Petersfield*
Parliament—Publication of Acts of Parliament, 1756

Women's Disabilities Removal Bill
c. Ordered; Read 1° *Aug.* 2, 266 [Bill 363]
Withdrawn *Aug.* 8, 872

WOODALL, Mr. W., *Hanley*
Supply—Post Office, 1624
Science and Art Department, 1385

WORKS—First Commissioner (*see* PLUNKET, Right Hon. D. R.)

WORTLEY, Mr. C. B. STUART (Under Secretary of State for the Home Department), *Sheffield, Hallam*
Kensington, Nuisance at, 1464
Law and Justice and Police—Hunter, Samuel, Case of, 1483
Symons, Geo.—Bodmin Gaol, 1457
Whitechapel Murders — William Wallace Brodie, 543
Supply—Payment to Civil Contingencies, 1613

BIBL. LONDIN. UNIV.

THE HANSARD PUBLISHING UNION, LIMITED, CATHERINE STREET, STRAND, W.C.

AND GREAT QUEEN STREET, W.C.

PRINTERS, PUBLISHERS, AND PROPRIETORS OF

HANSARD'S PARLIAMENTARY DEBATES,

UNDER CONTRACT WITH HER MAJESTY'S GOVERNMENT.

DL 12 JUL 1990